NOTE

This Microfiche meets the quality requirements of the American National Standard for Microfiche of Documents (ANSI PH5.9-1975). However, because of imperfections in the document from which it was made, it contains images that are illegible or difficult to read. The source document for this microfiche is the best copy that could be obtained prior to filming.

Congressional Information Service, Inc
Washington, D.C.

CIS

S. Hrg. 99-792

BILINGUAL EDUCATION ACT AMENDMENTS OF 1986

HEARING

BEFORE THE

SUBCOMMITTEE ON
EDUCATION, ARTS AND HUMANITIES

OF THE

COMMITTEE ON
LABOR AND HUMAN RESOURCES
UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

S. 2256

TO AMEND THE BILINGUAL EDUCATION ACT TO MAKE FEDERAL FINANCIAL ASSISTANCE AVAILABLE FOR CHILDREN OF LIMITED ENGLISH PROFICIENCY WITHOUT MANDATING A SPECIFIC METHOD OF INSTRUCTION, TO ENCOURAGE INNOVATION AT THE STATE AND LOCAL LEVEL THROUGH GREATER ADMINISTRATIVE FLEXIBILITY, TO IMPROVE PROGRAM OPERATIONS AT THE FEDERAL LEVEL, AND FOR OTHER PURPOSES

JUNE 5, 1986

Printed for the use of the Committee on Labor and Human Resources

U.S. GOVERNMENT PRINTING OFFICE
63-227 O WASHINGTON : 1986

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S541-73

COMMITTEE ON LABOR AND HUMAN RESOURCES

ORRIN G. HATCH, Utah, *Chairman*

ROBERT T. STAFFORD, Vermont	EDWARD M. KENNEDY, Massachusetts
DAN QUAYLE, Indiana	CLAIBORNE PELL, Rhode Island
DON NICKLES, Oklahoma	HOWARD M. METZENBAUM, Ohio
PAULA HAWKINS, Florida	SPARK M. MATSUNAGA, Hawaii
STROM THURMOND, South Carolina	CHRISTOPHER J. DODD, Connecticut
LOWELL P. WEICKER, JR., Connecticut	PAUL SIMON, Illinois
MALCOLM WALLOP, Wyoming	JOHN F. KERRY, Massachusetts
CHARLES E. GRASSLEY, Iowa	

RONALD F. DOCKSAI, *Staff Director*
THOMAS M. ROLLINS, *Minority Staff Director/Chief Counsel*

SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

ROBERT T. STAFFORD, Vermont, *Chairman*

ORRIN G. HATCH, Utah	CLAIBORNE PELL, Rhode Island
DAN QUAYLE, Indiana	EDWARD M. KENNEDY, Massachusetts
LOWELL P. WEICKER, JR., Connecticut	CHRISTOPHER J. DODD, Connecticut
MALCOLM WALLOP, Wyoming	SPARK M. MATSUNAGA, Hawaii
STROM THURMOND, South Carolina	PAUL SIMON, Illinois

POLLY GAULT, *Professional Staff Member*
DAVID V. EVANS, *Minority Professional Staff*

CONTENTS

STATEMENTS

THURSDAY, JUNE 5, 1986

Page

Bennett, Hon. William J., Secretary, U.S. Department of Education, Washington, DC 11

Navajo Nation, prepared statement 143

New York State Association for Bilingual Education, prepared statement 123

Petrovich, Janice, director, ASPIRA Institute for Policy Research, prepared statement 139

Porter, Dr. Rosalie Pedalino, coordinator of Bilingual and ESOL Programs, Division of Curriculum and Instruction, Newtonville, MA, and member, National Advisory Committee on Bilingual Education; Josephine J. Wang, ESOL/bilingual educator, Montgomery County Public Schools, Gaithersburg, MD; Ernest J. Mazzone, Director of Bureau of Transitional Bilingual Education, Massachusetts State Department of Education, Quincy, MA, and Lillian Falk, ESOL coordinator, Prince Georges County Public School System, Upper Marlboro, MD 23

Prepared statement of:
- Dr. Porter 26
- Ms. Wang 34
- Mr. Mazzone 51
- John. A. Murphy, superintendent, Prince Georges County, MD, public school system 56

Pratt, Lawrence D., president, English First, prepared statement 149

Quayle, Hon. Dan, a U.S. Senator from the State of Indiana, prepared statement 5

Quinones, Nathan, chancellor, Board of Education, New York City, prepared statement 146

Rock Point Community School Board, prepared statement 128

Trujillo, Virginia M., member, New Mexico State Board of Education, and spokesperson for National Association of State Boards of Education, Washington, DC; Oscar Moran, national president, League of United Latin American Citizens, Washington, DC; Dr. Sarah E. Melendez, associate director, Office of Minority Concerns, American Council of Education, and spokesperson for and past president of National Association of Bilingual Education, Washington, DC; Raul Yzaguirre. president, National Council of La Raza, Washington, DC, and Norma V. Cantu, national education director, Mexican American Legal Defense and Educational Fund, Inc., Washington, DC 60

Prepared statement of:
- Ms. Trujillo 63
- Mr. Moran 74
- Dr. Melendez 86
- Mr. Feliciano 98
- Mr. Yzaguirre 105
- Ms. Cantu 115

ADDITIONAL MATERIAL

Questions and answers:

Responses of Secretary Bennett to questions submitted by:
- Senator Simon 18
- Senator Kennedy 22

BILINGUAL EDUCATION ACT AMENDMENTS OF 1986

THURSDAY, JUNE 5, 1986

U.S. SENATE,
SUBCOMMITTEE ON EDUCATION,
ARTS AND HUMANITIES,
COMMITTEE ON LABOR AND HUMAN RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:35 a.m., in room SD-430, Dirksen Senate Office Building, Senator Dan Quayle, presiding.

Present: Senator Quayle.

Senator QUAYLE. The committee will come to order

I am glad to welcome our Secretary of Education, Hon. William Bennett, who is here this morning and back before the committee.

We are here to receive testimony on S. 2256, and I thank Senator Stafford for allowing me the opportunity to chair these hearings on my bill and what we can do to improve bilingual education.

I might say at the outset that some of our colleagues may be joining us later on. They are at the White House, discussing tax reform. So they will be finished with their breakfast down there and getting their arms twisted in about 15 minutes or so; give them another 15 minutes to fight traffic. I have already had my arm twisted, so I do not need to be down there to hear the litany on tax reform, since I am a strong supporter of it to begin with.

But we are not going to talk about tax reform today; we are going to talk about another reform, in bilingual education.

I have tried to get a couple of panels together that will have a balanced approach—there is a difference of opinion on how we administer the program. I do not think anybody is going to argue whether we should or should not have bilingual education. That is already an established fact. There is no argument that we are going to help these children that cannot speak English or are not conversant in English. We are committed to doing that.

I think that the discussion will be on how can we be the most effective; how can we be most efficient in getting those students up-to-speed; how can we best serve those students in our educational system.

S. 2256 removes the statutory requirements in current law that 75 percent of the funds appropriated for local bilingual education programs must be used for transitional bilingual education programs.

Our proposed legislation will also remove the 4-percent cap on special alternative instructional programs that the Secretary of Education can fund. By removing the 75-percent requirement and the 4-percent cap, school districts will be able to design programs that are more flexible, realizing that they will not have to meet certain Federal prescriptions or assumptions for bilingual education curricula.

I believe that the most compelling argument in support of this legislation is the fact that in no other education program does the Federal Government dictate the method or approach of teaching instruction. There simply is no precedent. The one exception is bilingual education, where 75 percent of the funds for local programs must be awarded to projects of transitional bilingual education.

And what we are trying to do is to say that those tight prescriptions are not necessary, that the commitment is there, and that if we really want to have efficiency, and if we want to serve the population that will utilize bilingual education, the best way is to allow that flexibility and do the job that we are all committed to doing. We would certainly commit to have vigorous oversight to see if there are problems. If there are problems under this way, well, let us know about it. We know that there are problems in having these restrictive requirements here, so I think it is time that we change. And in that spirit of a commitment to bilingual education and trying to get a better program, to improve the program and to make a good program even better, we offer the legislation in that spirit.

At this point I will insert into the record opening statements by Senators Stafford, Hatch, and Pell, as well as the full text of my own statement.

[The statements referred to follow:]

OPENING STATEMENT OF SENATOR ROBERT T. STAFFORD

Senator **Stafford**. Today the Subcommittee on Education, Arts and the Humanities convenes to discuss the "Bilingual Education Act Amendments of 1986," a bill which forces us to reexamine the needs of our Nation's non-English-speaking and limited-English-proficient students.

English literacy is an issue of increasing importance to the well-being of our Nation and has recently become the focus of heightened public attention. This Senator believes that it is the responsibility of the Federal Government to ensure that our children learn to speak a common language in order to enable them to participate fully in American society. Learning English is the key to attaining equal education opportunity and is the unifying bond for the diverse population of our country.

I have become aware that researchers contend that there are various instructional approaches and program designs for teaching limited-English-proficient and non-English-speaking students. Therefore, I look forward to hearing the testimony of the witnesses here today in hope that these deliberations will result in the best possible English instruction for these children.

OPENING STATEMENT OF SENATOR ORRIN G. HATCH

Senator HATCH. I am already a cosponsor of S. 2256, the Bilingual Education Amendments of 1986, but it gives me great pleasure today to add my further support to this important legislative initiative. This amendment will serve to enhance our country's federalism and improve the education available to children served by bilingual programs.

This bill will help children. This bill will also return to local school districts the power to decide which instructional methods should be used to teach bilingual education to their own students. Presently the Federal Government has usurped this power by dictating that only one method is eligible to receive 75 percent of the Federal funds for this program. Instead, parents and educators on the scene should have the ability to decide what methods of English language instruction will most benefit their non-English proficient students. Thus, this initiative will eliminate some of today's excessive Federal control of education, control which prevents the flexibility necessary for educational reform and improvement.

This bill can only improve the services to those who need Federal bilingual programs. Where transitional bilingual education has proven to be the most effective teaching method, that method can still receive Federal funds. Let me emphasize that local parents and teachers will continue to be able to request and receive funds for TBE. But where other methods are more effective, Federal financing will be available. Thus, more children with a greater variety of needs will be served by these Federal funds.

Two complementary objectives will be accomplished by this legislation. As I have mentioned, decisionmaking authority will be returned to the local level. Parents and teachers will work together to decide how to provide their children the best possible education. This cooperation is essential. Parents must have confidence that their voices are heard, and teachers must know that they are respected as copartners in the education of their students.

Second, this bill will greatly expand the opportunity for full participation in our society by more children who will be served by the bilingual programs. These amendments will extend access to many school districts which were unable to apply for the Federal money because TBE was not the most effective method for teaching English to their particular mix of limited English-proficient students. These Federal funds were previously restricted almost completely to school districts which adopted the Transitional Bilingual Education method. Now, throughout the country, all students with limited English capabilities can benefit from these Federal dollars and learn English through the method most effective for them. With a greater opportunity to learn English, they will have a more equal opportunity to participate fully in our common national life.

I want to add that it is important for our children to retain their cultural heritage. This bill does not intend to eliminate these diverse cultural heritages. I hope that all students will continue to practice their own cultural heritage while gaining the necessary tool, English language proficiency, for full participation in our society.

Senator Quayle, I applaud your efforts, and those of Secretary Bennett, in proposing this initiative on behalf of these children and their parents.

OPENING STATEMENT OF SENATOR CLAIBORNE PELL

Senator PELL. Mr. Chairman, I am pleased to be able to take part in this hearing on S. 2256, the Bilingual Education Amendments of 1986. I have strongly supported the Bilingual Education Act since its inception, and I have no reason to alter the strength of that support today. Both Chairman Stafford and I opposed Gramm-Rudman, the passage of which unfortunately has already resulted in a reduction of funds for this important program.

I do, however, have two basic concerns with respect to provisions in the act and to the way in which bilingual education programs function.

First, I am very concerned that the focus on the act remain upon bilingual instruction. Yet, I also am of the mind that the act should be sufficiently flexible to allow for other methods of instruction where the need can be demonstrated.

For instance, in a school district where there are many different languages or dialects spoken, it may well be that the act should be sufficiently flexible to allow for other methods of instruction where the need can be demonstrated.

For instance, in a school district where there are many different languages or dialects spoken, it may well be that English as a second language or immersion instruction would better suit the educational needs of all the students. A bilingual course in each dialect or language could prove to be not only excessively expensive but also educationally unsound.

I do not believe, however, that the current cap of 4 percent on other methods of instruction should be lifted altogether as is proposed in S. 2256. Instead, I would hope that we might be able to agree to raise the cap to 20 to 25 percent. This, as I understand, would also be more in line with the number of applications the Department of Education received for grants that stressed methods of instruction other than bilingual.

Second, I am also concerned that emphasis of this act be to spur students to learn English as quickly as possible, and that instruction in their native tongue is done so that the students will not fall behind their classmates while they are learning English. In this regard, I have long been concerned that some students in bilingual education may not be required to learn English as quickly as possible, and that they do not complete the program soon enough.

I would be interested, therefore, in hearing the witnesses comment upon the idea of a provision in Federal law that would require a student to exit from the bilingual program within a specified period of time. I have in mind a 2- or 3-year period, but I would be very interested in learning how our witnesses would view a change of this nature.

Mr. Chairman, I am committed to protecting the underlying thrust of this law, but I am equally committed to making sure that it is flexible enough to meet the educational needs of many different students and, most important, that it does not lose sight of its primary purpose, which is to spur students to learn English.

STATEMENT OF U.S. SENATOR DAN QUAYLE (R-IN)
SENATE SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES HEARING ON S. 2256, THE BILINGUAL EDUCATION ACT AMENDMENTS OF 1986

JUNE 5, 1986

I WANT TO BEGIN BY THANKING SENATOR STAFFORD, CHAIRMAN OF THIS SUBCOMMITTEE, FOR PROVIDING ME THE OPPORTUNITY TO CONDUCT A HEARING ON THE BILINGUAL EDUCATION ACT AMENDMENTS OF 1986. ON MARCH 27, ALONG WITH SEVERAL OF MY COLLEAGUES, I INTRODUCED THIS BILL, S. 2256, TO REMOVE THE CURRENT STATUTORY LIMITS ON HOW BILINGUAL EDUCATION PROGRAM FUNDS MAY BE SPENT AND THEREBY PERMIT GREATER FLEXIBILITY AT THE LOCAL LEVEL.

THIS MORNING WE WILL HEAR FIRST FROM EDUCATION SECRETARY WILLIAM J. BENNETT, AND FOLLOWING HIS TESTIMONY, FROM TWO PANELS OF WITNESSES REPRESENTING GROUPS SUPPORTING AND OPPOSING THIS LEGISLATION. I HAVE MADE EVERY EFFORT TO PROVIDE FOR A BALANCED HEARING TO ENSURE THAT THE ISSUES ARE CLEARLY DRAWN AND DEBATED. I LOOK FORWARD TO WHAT, I AM SURE, WILL BE BOTH AN ENLIGHTENING AND COMPREHENSIVE DISCUSSION OF THOSE ISSUES.

THE BEST WAY TO PROVIDE BILINGUAL EDUCATION HAS BEEN MUCH DEBATED BY EDUCATORS, POLICYMAKERS, STUDENTS AND PARENTS THEMSELVES. THE DISCUSSION FOCUSES ON WHAT TYPE OF LANGUAGE

TRAINING IS MOST EFFECTIVE TO BRING NON-ENGLISH-SPEAKING CHILDREN UP TO PAR WITH THEIR ENGLISH-SPEAKING PEERS. POSITIONS RANGE FROM STRONG SUPPORT OF TRANSITIONAL BILINGUAL EDUCATION, AN APPROACH THAT EMPLOYS INSTRUCTION IN THE STUDENT'S NATIVE LANGUAGE AT THE BEGINNING AND INCREASING THE USE OF ENGLISH AS TIME GOES BY, TO STRONG SUPPORT OF ENGLISH AS A SECOND LANGUAGE, WHICH TEACHES ENGLISH WITH THE USE OF AUDIO-VISUAL MATERIAL.

FOR CERTAIN TYPES OF STUDENTS, DEPENDING ON THEIR AGE, THEIR LITERACY IN THEIR NATIVE LANGUAGE AND THEIR PARENTS' LITERACY IN THEIR NATIVE LANGUAGE AND FLUENCY IN ENGLISH, AN APPROACH CLOSER TO IMMERSION MAY BE MORE EFFECTIVE THAN TRANSITIONAL BILINGUAL EDUCATION. FOR OTHER CHILDREN WHO ARE OLDER AND WHO MAY HAVE A LOW FUNCTIONAL LITERACY IN THEIR OWN LANGUAGE, A TRANSITIONAL APPROACH MAY BE MORE EFFECTIVE.

OTHER CHILDREN WILL LEARN AT DIFFERENT SPEEDS, THEREBY NECESSITATING REVIEW OF THEIR APPROPRIATE PLACEMENT IN TRANSITIONAL BILINGUAL EDUCATION CLASSES OR IN CLASSES THAT RELY MORE HEAVILY ON ENGLISH. SUCH STUDENTS SHOULD BE ABLE TO MOVE AHEAD AT THEIR OWN SPEED AND ABILITY, TO ALLOW THEM TO ACHIEVE FLUENCY IN ENGLISH AS QUICKLY AS POSSIBLE.

IN BRIEF, S. 2256 REMOVES THE STATUTORY REQUIREMENT IN CURRENT LAW THAT 75 PERCENT OF THE FUNDS APPROPRIATED FOR LOCAL BILINGUAL EDUCATION PROGRAMS MUST BE USED FOR TRANSITIONAL BILINGUAL EDUCATION PROGRAMS. OUR PROPOSED LEGISLATION WILL ALSO REMOVE THE FOUR PERCENT CAP ON SPECIAL ALTERNATIVE INSTRUCTIONAL PROGRAMS THAT THE SECRETARY OF EDUCATION CAN FUND. BY REMOVING THE SEVENTY-FIVE PERCENT REQUIREMENT AND THE FOUR PERCENT CAP, SCHOOL DISTRICTS WILL BE ABLE TO DESIGN PROGRAMS THAT ARE MORE FLEXIBLE, REALIZING THAT THEY WILL NOT HAVE TO MEET CERTAIN FEDERAL PRESCRIPTIONS OR ASSUMPTIONS FOR BILINGUAL EDUCATION CURRICULA.

I BELIEVE THAT THE MOST COMPELLING ARGUMENT IN SUPPORT OF THIS LEGISLATION IS THE FACT THAT IN NO OTHER EDUCATION PROGRAM DOES THE FEDERAL GOVERNMENT DICTATE THE METHOD OR APPROACH OF TEACHING INSTRUCTION. THE ONE EXCEPTION IS BILINGUAL EDUCATION, WHERE 75 PERCENT OF THE FUNDS FOR LOCAL PROGRAMS MUST BE AWARDED TO PROJECTS OF TRANSITIONAL BILINGUAL EDUCATION.

YET RESEARCH ON THE EFFECTIVENESS OF BILINGUAL EDUCATION SHOWS THAT A VARIETY OF APPROACHES WORKS WHEN EDUCATING LANGUAGE-MINORITY CHILDREN. THERE ARE A NUMBER OF EXAMPLES OF OUTSTANDING PROGRAMS OF ALL KINDS, INCLUDING BOTH TRANSITIONAL BILINGUAL EDUCATION PROGRAMS AND SPECIAL ALTERNATIVE INSTRUCTIONAL

PROGRAMS, THAT HAVE DEMONSTRATED SUCCESS IN TEACHING ENGLISH AND OTHER SUBJECTS TO NON-ENGLISH-SPEAKING STUDENTS. THESE SUCCESSFUL PROGRAMS ARE WELL DOCUMENTED IN REVIEWS OF THE RESEARCH LITERATURE UNDERTAKEN BETWEEN 1975 AND 1985. AS A RESULT, MANY SOCIAL SCIENTISTS NOW CONCLUDE THAT NO ONE METHOD IS UNIQUELY EFFECTIVE IN EDUCATING LANGUAGE MINORITY STUDENTS.

IN 1982, FOR INSTANCE, IRIS ROTBERG WROTE IN THE HARVARD EDUCATION REVIEW, "REVIEWS OF RESEARCH FINDINGS COMPARING THE EFFECTS OF ALTERNATIVE INSTRUCTION APPROACHES ON STUDENT ACHIEVEMENT HAVE SHOWN THAT BILINGUAL PROGRAMS ARE NEITHER BETTER NOR WORSE THAN OTHER INSTRUCTIONAL METHODS." JUST THIS YEAR, PROFESSOR CHRISTINE ROSSELL, A RENOWNED CIVIL RIGHTS EXPERT, WROTE IN THE JOURNAL OF LAW AND EDUCATION, "THE RESEARCH DOES NOT SUPPORT TRANSITIONAL BILINGUAL EDUCATION AS A SUPERIOR INSTRUCTIONAL TECHNIQUE FOR INCREASING THE ENGLISH LANGUAGE ACHIEVEMENT OF LIMITED ENGLISH PROFICIENT CHILDREN."

IN SHORT, THE MESSAGE WE ARE RECEIVING FROM RESEARCH STUDIES IS SIMPLE: SCHOOLS CAN DO A LOT TO HELP CHILDREN WHO DO NOT SPEAK ENGLISH THROUGH A VARIETY OF INSTRUCTIONAL PRACTICES. TRANSITIONAL BILINGUAL EDUCATION IS JUST ONE OF SEVERAL APPROACHES THAT THE SCHOOLS CAN CHOOSE TO USE.

NUMEROUS BILINGUAL EDUCATION RESEARCHERS HAVE ALSO POINTED OUT THAT THE QUALITY OF EDUCATION GENERALLY IS A KEY DETERMINANT OF THE EFFECTIVENESS OF PROGRAMS THAT HELP NON-ENGLISH-SPEAKING CHILDREN. SEVERAL RESEARCHERS ARE SUGGESTING THAT THE QUALITY OF THE SCHOOL, THE INTERACTION OF CHILDREN AND TEACHERS, THE QUALITY OF THE TEACHERS AND THE COMMUNITY SUPPORT OF THE SCHOOL AND ITS SPECIAL PROGRAMS CAN BE VARIABLES IN HOW SUCCESSFULLY CHILDREN LEARN ENGLISH. THE ISSUE OF QUALITY IS IMPORTANT NOT ONLY FOR OUR CHILDREN WHO ALREADY SPEAK ENGLISH, BUT FOR THOSE WHO DON'T.

DESPITE THE PREPONDERANCE OF RESEARCH CONCLUDING THAT NO ONE METHOD IS NECESSARILY SUPERIOR TO ANOTHER, FEDERAL LAW PRESCRIBES THAT 75 PERCENT OF ALL BILINGUAL PROGRAM MONIES BE RESERVED OR SET ASIDE FOR THE TRANSITIONAL BILINGUAL PROGRAM APPROACH.

FURTHERMORE, CURRENT LAW STIPULATES THAT ONLY FOUR PERCENT OF FEDERAL BILINGUAL EDUCATION FUNDS CAN BE USED FOR ALTERNATIVE PROGRAMS. YET IN 1985, THE DEPARTMENT OF EDUCATION WAS ABLE TO FUND ONLY 35 OF THE 103 SPECIAL ALTERNATIVE PROGRAMS THAT APPLIED FOR THESE LIMITED FUNDS. DUE TO THE CURRENT FOUR PERCENT CAP, THE DEPARTMENT WILL BE UNABLE TO MAKE ANY NEW SPECIAL ALTERNATIVE GRANTS THIS YEAR, AND POSSIBLY FOR THE NEXT FOUR YEARS, SINCE AVAILABLE FUNDS WILL BE NEEDED FOR CONTINUATION GRANTS. UNDER

CURRENT LAW, THEN, NO NEW SPECIAL ALTERNATIVE PROJECTS CAN BE FUNDED REGARDLESS OF THEIR MERIT.

I WANT TO EMPHASIZE THAT OUR PROPOSED LEGISLATION, WHICH IS SUPPORTED BY MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES ON BOTH SIDES OF THE AISLE, IS NOT, IN ANY MANNER, AN ATTACK ON TRANSITIONAL BILINGUAL EDUCATION PROGRAMS OR ON THE BILINGUAL EDUCATION ACT. GOOD TRANSITIONAL PROGRAMS WILL CONTINUE TO RECEIVE FUNDS IF S. 2256 IS ENACTED INTO LAW. IN FACT, I KNOW THAT SECRETARY BENNETT HAS TAKEN THE TIME TO VISIT SOME DISTRICTS UTILIZING BOTH TRANSITIONAL AND ALTERNATIVE BILINGUAL PROGRAMS, AND HE IS IMPRESSED WITH THE EFFECTIVENESS OF EACH. I HOPE THAT THE SECRETARY WILL SHARE HIS IMPRESSIONS OF THOSE PROGRAMS HE HAS EXPERIENCED FIRST-HAND IN HIS TRAVELS.

I HAVE BEEN A SUPPORTER OF THE BILINGUAL EDUCATION ACT, AND I BELIEVE THAT ITS PROGRAMS ARE IMPORTANT TO THE FUTURE PRODUCTIVITY OF OUR NATION. WE NEED TO HELP ALL OUR FUTURE WORKERS ACQUIRE GOOD LANGUAGE SKILLS SO THAT THEY MAY BE AS PRODUCTIVE AS POSSIBLE, AND SO THAT THEY GAIN THE PROFICIENCY IN ENGLISH THEY MAY NEED TO BE TRAINED FOR OTHER JOBS IN THE FUTURE.

I KNOW A NUMBER OF WITNESSES WILL DISCUSS THE 1984 REAUTHORIZATION OF THE BILINGUAL EDUCATION ACT AND REMARK THAT

THE SENATE AGREED TO THE REAUTHORIZATION AND THE AGREEMENT THAT WAS WORKED OUT AT THAT TIME. WHILE THAT IS TRUE, THE SENATE NEVER REALLY HAD AN OPPORTUNITY TO DEBATE THE ISSUE IN ANY GREAT DETAIL. THE COMPROMISE WAS PRESENTED AT THE CONFERENCE COMMITTEE, AND MANY OF US REALLY WOULD HAVE LIKED TO HAVE SEEN A LARGER PROGRAM OF SPECIAL ALTERNATIVE INSTRUCTIONAL PROGRAMS INCLUDED IN THE REAUTHORIZATION.

WITH THIS LEGISLATION, WE ARE MAKING THE STATEMENT THAT SCHOOL DISTRICTS ARE CLOSER TO THE STUDENTS AND, THEREFORE, THEY SHOULD BE ABLE TO CHOOSE THE APPROACH THEY CONSIDER APPROPRIATE FOR EDUCATING THEIR LIMITED- OR NON-ENGLISH-SPEAKING CHILDREN, AND MOST IMPORTANTLY, THE APPROACH THAT HELPS THEIR STUDENTS LEARN ENGLISH AS EASILY AND EFFICIENTLY AS POSSIBLE. THIS, AFTER ALL, IS THE PURPOSE AND GOAL OF BILINGUAL EDUCATION.

SECRETARY BENNETT, WELCOME, AND PLEASE PROCEED WITH YOUR STATEMENT.

Senator QUAYLE. So Dr. Bennett, Honorable Secretary, we are pleased to have you back again and look forward to your testimony, which is always straightforward, always interesting. I know you are committed to bilingual education, so I will let you speak, and then we will have a few questions.

Welcome back to the committee.

STATEMENT OF HON. WILLIAM J. BENNETT, SECRETARY, U.S. DEPARTMENT OF EDUCATION, WASHINGTON, DC

Secretary BENNETT. Thank you, Mr. Chairman, Senator.

I am very pleased to be here today to testify on behalf of the Bilingual Education Act Amendments of 1986.

I would like to begin by thanking you very much for your sponsorship of this bill, Senator. We are proud to have as a sponsor a Senator distinguished for his leadership on many education issues.

The Bilingual Education Act Amendments would, as you know, lift the current 4 percent cap on Federal funding for alternative bilingual education programs. This reform would allow local districts greater flexibility in choosing methods of teaching English to students of limited English proficiency. It would help the Federal Government better fulfill its role in ensuring equal opportunity for all Americans.

Congress passed the Bilingual Education Act in 1968, authorizing Federal funding of new and imaginative programs to meet the special education needs of children who were educationally disadvantaged by their inability to speak English.

The design of such programs was left, in the words of the Senate Committee Report, "to the discretion and judgments of the local school districts to encourage both varied approaches to the problem and also special solutions for a particular problem of a given school." It was clear that the problem was many children's inability to speak English, and that the solution was funding for a variety of educational programs.

In the 1974 case, *Lau* v. *Nichols,* the Supreme Court interpreted title VI of the Civil Rights Act in a manner consistent with both the means and intent of the Bilingual Education Act. The Court ruled that the failure of the San Francisco school system to provide special instruction to children of Chinese-speaking parents denied those children a meaningful opportunity to participte in the public school system. And the Court noted: "No specific remedy is urged upon us. Teaching English to students of Chinese ancestry is one choice. Giving instruction to this group in Chinese is another. There may be others."

Nonetheless, in 1974, Congress amended the Bilingual Education Act to prescribe one, exclusive instructional method which required all projects funded to include instruction in the native language of the children served. Although no maximum or minimum amount of native instruction was prescribed, many school districts understood the law to limit local flexibility.

Ten years later, the Congress did authorize up to 4 percent of Federal bilingual funds to be used in programs employing methods requiring no minimum amount of native language instruction. But even with this change, Senator, Federal bilingual policy today is characterized by its exceptional prescriptiveness.

In the words of education historian Diane Ravitch: "It is unprecedented for the Federal Government to prescribe a particular pedagogical method." As Albert Shanker, president of the American Federation of Teachers, has said: "The last thing anyone would defend as good education is a single method that is prescribed from on high." Such intrusiveness is particularly ill-advised when there is a lack of conclusive evidence that one method is more effective than all others.

And to this date, there is indeed no evidence of the superiority of the prescribed method, transitional bilingual education. In one of the most comprehensive reviews of research on bilingual education, Christina Bratt Paulston, chairman of the Department of Linguistics at the University of Pittsburgh, concluded that "research on bilingual education is characterized by disparate findings and inconclusive results."

Iris Rotberg of the National Science Foundation states that current research shows that "bilingual programs are neither better nor worse than other instructional methods."

And this much is clear: as the National Center for Bilingual Research has noted, "[a method] which is very successful in one geographic area with one set of target students may not be at all useful in another area with a different population."

After all, we should not be surprised that school districts serving recent immigrants who speak 70 different languages will need different sorts of programs from school districts whose students speak only two languages.

Last year, even with the 4 percent cap in effect, the Department received over 100 applications for support of alternative programs.

The Bilingual Education Act Amendments would correct the Federal Government's heavy-handed approach toward bilingual education. The bill would provide local school districts the flexibility they need to adapt to local circumstances. It would allow them to select the pedagogic method which shows the greatest promise, for the circumstances, of helping students to become fluent in English.

I first proposed this legislative change and other, forthcoming regulatory reforms in a speech in New York last September. Support for our proposal has been remarkably broad and bipartisan. Our plan has received the endorsement of the National Association of State Boards of Education, the National Conference of State Legislatures, the American Association of School Administrators, and the National Association of Secondary School Principals. Among our media supporters, we can count both the Washington Post and the New York Times.

We do, however, have our opponents. Frequently, their complaints involve allegations that I have answered directly and consistently from the day I first made these proposals. I would like to address these charges very briefly once again today.

There are some who suggest that our proposal reflects a plan on the part of the administration to decrease its commitment to bilingual education. This is untrue. Even in this time of tight financial restraint—Gramm-Rudman—we have maintained funding for bilingual education at its current level. This is in keeping with the administration's overall effort to preserve funding for those programs that serve our most disadvantaged students.

Nor is our goal, as some have suggested, to promote one method of instruction over another. On the contrary, our goal is to eliminate the existing statutory emphasis on a single instructional method.

Many school districts will undoubtedly continue to pursue programs with some instruction in the native language. In some circumstances, these can be very helpful in getting students to keep up with their classwork until they become fluent in English.

Just last month, Senator, I visited several different bilingual programs in Arizona. One, Garfield Elementary School in Phoenix, was a very successful transitional bilingual education program. Another, equally successful, was an English as a Second Language program—the Powell Jr. High School—in Mesa that served students who spoke over a dozen different languages. We believe that both these options, and others, should be open to recipients of Federal aid.

But let me repeat: Nothing in our proposal would in any way impede a school district from receiving funds for a program of transitional bilingual education, if that is the method the district, not the Federal Government, judges best for its students.

We do believe, however, that we as a nation must be clear about the goal of bilingual education; fluency in English. In the words of President Reagan: "Bilingual programs should serve as a bridge to full participation in the American mainstream."

The Federal Government's increasing prescriptiveness as to the method of bilingual education has been accompanied by increasing ambiguity as to its purpose. For many, bilingual education has become a way of enhancing students' knowledge of their native language and culture. For these individuals, native language instruction has a special attraction as the method most conducive to this companion goal.

Let us be clear. Pride in one's cultural heritage is natural, and it is commendable. We in the United States cherish our diversity, and local schools should be free to foster the study of the languages and heritages of their students in the courses they offer. But the responsibility of the Federal Government in this program must be to help ensure that local schools succeed in teaching non-English-speaking students English. It is our children's birthright. It is what they will need to enjoy full access to the opportunities of American society. This was the original purpose of the Bilingual Education Act; it is a noble purpose, and it is our purpose.

Senator Quayle, this concludes my prepared testimony on the Bilingual Education Act Amendments of 1986. I thank you again for your attention and for your support, and I would be happy to answer your questions.

Senator QUAYLE. Thank you very much, Mr. Secretary.

What you might do is just briefly describe to us how this legislation on removing the caps would change the instructional methods that are presently being used.

In visiting the school districts that you do from time to time, like the Phoenix example you put before this committee, I wonder if you could describe for us different options that they would have available to them if this legislation eliminated the 75 percent cap.

Secretary BENNETT. Sure, I would be happy to.

The schools, of course, would be free to use whatever method they thought best, provided that they recognized the overriding significance of two aims. First, they must provide help and assistance to these students. They cannot leave them to sink or swim, as the expression goes. They must provide help to these students to ensure that they are learning the English language. And second, just to emphasize the last phrase of that point, they must make efforts which convince those who review the applications that the goal would be to give these students fluency in English as quickly as possible.

I imagine we would see applications for transitional bilingual education programs. I imagine we would see applications for English as second language programs; I imagine we would see applications for programs in structured immersion. And I imagine we would see applications for programs that mix and match some of these methods—again, applications that would respond to the particularities and the circumstances of a school district.

Talking about that visit just very briefly, in the morning I was in Mesa at Powell Junior High School and saw an excellent class in English as a second language. I was told that in that community there were something like 30 or 40 different language backgrounds for the students. And the decision was made there that English as a second language would be the best approach. It seems to be working very well. The students seemed to be learning, and they seemed to be happy about what they were learning, and it was obviously the right decision.

I would point out, however, that as things are now that school district could not receive funds from us except under that 4 percent cap. They would have to compete for that 4 percent with other school districts. It seems to me they ought to have a better opportunity, more of an opportunity.

I then went over to Phoenix, a 20-minute drive, to Garfield Elementary School, where I saw a transitional bilingual education program. I saw it in two phases—they took me through a kind of time machine. I first visited the kindergarten class, where I would say the instruction was 65, 75 percent in Spanish and 25 percent in English. One important difference at this school was that all of the students who were being taught had the same background—that is, they were all of Hispanic origin.

We then moved to the third grade to see what happens to these kids 3 years later, and I would say the proportions were reversed—the class was about 75 percent in English and about 25 percent in Spanish. And again, the children seemed to be learning. This was a very good transitional bilingual education program. The children were learning English, and the transition was being made. It was very encouraging to see that.

So, I think we can see those two methods. I think we would see other methods, and I think in many places we would see people drawing from the experience of other school districts and using elements of this and elements of that approach; and that is the kind of flexibility and good sense and good judgment that we want to encourage, not discourage as we are doing it now.

Senator QUAYLE. What kind of complaints have you had from the practitioners of bilingual education, those that are out there administering the program? Have they told you that there really are some other methods that they would like to use, and that they do not want to be restricted—what kind of comments have come in to you as Secretary on this particular program?

Secretary BENNETT. I'd like to ask Carol Pendao Whitten, the Director of our Office of Bilingual & Minority Language Education, to comment briefly on this as well, but let me just say this; the kinds of comments we hear are very different. This is the point, really. Some people will swear by one method, other people will swear by another. Most people say that different methods will work well in different circumstances. And I think it is that very variety of response which suggests that the Federal Government should not be dictating a single method.

We know that different methods work effectively in different places, and what seems just to us is a policy whicb responds to the good sense and good judgment of the people at the local level.

Carol, do you want to comment?

Ms. WITTEN. Yes; in many schools, you will see transitional bilingual educational programs being used, as I did in Dallas at Fannin Elementary School—where title VII moneys being used for Hispanic children—and children the same school I saw immersion programs being conducted with State money for Asian children, because of different needs for the different children.

Also, you sometimes see immersion programs being used for different reasons. McAllen, TX, for example, has an excellent transitional bilingual education program. However, they also have an excellent immersion program. The superintendent there is very dedicated to transitional bilingual education. However, he has pockets in his community where the children go to school, live, watch TV, and never hear any English. He feels that those particular children would benefit most from an immersion program. However, he cannot have a capacity-building immersion program because title VII is the only program that funds capacity-building programs, and therefore, the money is limited there.

So, you find the different programs being used for different reasons.

Senator QUAYLE. Thank you.

Mr. Secretary, some have said that you just basically are opposed to transitional bilingual education. Do you want to comment on that?

Secretary BENNETT. Sure, I would be happy to. I am not opposed to transitional bilingual education. In many circumstances, this may indeed be the method that a community decides it wishes to use, and if so, I think we should bless that decision and not second-guess it.

Of course, this method, like any method, must assure that it is doing what it is supposed to be doing, which in this case is making a transition.

But I have not only blessed it in general, I have blessed it in particular in recounting my experience at that school in Phoenix. I have seen a transitional bilingual education program there, and it works. And I think the community wants it, and the community should have it.

Senator QUAYLE. Mr. Secretary, as I said, many other Senators are down at the White House. Senator Simon has asked that some questions be submitted to you for the record.

Secretary BENNETT. Sure.

Senator QUAYLE. There are probably other Senators that think that this hearing may have started later on, although we never changed the time, who also might want to submit some questions for you in writing.

But I have no other questions at this time, and thank you for your testimony. I look forward to seeing this legislation move forward. We are going to have an interesting hearing this morning. We will hear both pros and cons. And we will probably be back to you with some specific recommendations on how we can best proceed.

Thank you very much.

Secretary BENNETT. Thank you, Senator, for your interest and for your questions.

[Responses of Secretary Bennett to questions submitted by Senators Simon and Kennedy follow:]

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION

July 17, 1986

1986 JUL 19 PM 1:40

Honorable Dan Quayle
United States Senate
Washington, D.C. 20510

Dear Senator Quayle:

Thank you for your recent letter to Secretary Bennett requesting answers to questions concerning the bilingual education hearing you chaired in June.

Please find enclosed the Secretary's responses to questions posed by Senators Simon and Kennedy.

If the Office of Legislation can be of further assistance, please let me know.

Sincerely,

Frances Norris
Frances M. Norris
Assistant Secretary

Enclosure

400 MARYLAND AVE., S.W., WASHINGTON, D.C. 20202

Questions from Senator Paul Simon

Question: You note in your prepared testimony that there "is lack of conclusive evidence that one method (of instruction for LEP students) is more effective than all others". In light of this statement, would you comment on the recent SRA report of a four year study on English immersion, sponsored by the Department, which concludes:

> "...that limited English proficient student in bilingual programs consistently outperformed "immersion strategy" students in reading, language arts and mathematics tests conducted in both English and Spanish."

Tentative conclusions from test results in the same SRA study show that LEP students in bilingual education programs outperformed their peers--including those in immersion programs who had the most hours of English instruction of any LEP student--in most academic areas, particularly English language performance.

Again, in light of this study and others, do you still feel as you did last year when you spoke in September to a New York City group, that:

> "After seventeen years of federal involvement, and after $1.7 billion of federal funding, we have no evidence that the children whom we sought to help -- that the children who deserve our help--have benefitted."

In addition, in your testimony today, you tell us about programs which utilize many instructional methods including bilingual education which by any standard would be considered successful. How do these examples, including the bilingual example, fit with your earlier statements that bilingual education has not helped LEP students?

Answer: First, let me point out that I have never stated that bilingual education has not helped limited English proficient students. However, I have stated on many occasions that the prior Federal policy that promoted almost exclusive use of instructional methods that rely heavily on native language instruction is not the best way to help limited English proficient students. I want to stress that the Department does not advocate any one method. Rather, the Department believes that schools should have the flexibility to operate the type of program best suited to the needs of their students. Numerous reviews of the research literature undertaken between 1975 and 1985 concluded that there is no evidence of the superiority of any one instructional method. These reviews were both assessments of the international literature as well as studies specific to the situation in the United States. While no one pedagogical method for limited English proficient students is universally successful, these reviews did find individual examples of successful TBE projects, ESL projects, and English immersion.

Second, you refer to preliminary analysis of a study we are conducting comparing English immersion to two types of bilingual programs. An internal memorandum from the contractor to the study's advisory panel informed them of the preliminary analysis of the first year data from the four-year study. This preliminary analysis cannot be considered as evidence of the superiority of any particular program for several reasons:

- Necessary statistical adjustments that control for differences among students in their degree of disadvantagement have not yet been made;
- The language learning process takes several years. It is premature to base any conclusions on one year's data;
- Only five of the eight sites were included in the data analysis;
- The preliminary analyses were not consistent with respect to the effectiveness of different approaches;
- Immersion students did better than bilingual students on two of three types of measures (oral proficiency and teacher judgment of student performance).

I would also call your attention to another, completed study that compared English immersion to bilingual education. In this study, Russell Gersten of the University of Oregon found that, over a 12-year period, immersion was superior to bilingual education, even improving high school graduation rates. These findings are consistent with other immersion research (e.g., Canadian studies and the McAllen, Texas immersion program).

Question: In your testimony, you give examples of school districts which must serve a student body which represents 70 languages. Would you provide for the record a statement which includes information on school districts by the number of language minority students they must serve, and the number of languages represented by LEP students in that district?

Answer: In school year 1984-1985, Title VII served 194,323 children with limited English proficiency. These children spoke over 60 different languages. Of the Title VII projects that served these children, nearly half--42 percent--served two or more languages.

When we examine several of the major cities in the United States--Boston; Chicago; Fairfax County, Virginia; Houston; Los Angeles; Miami; New York City; and Seattle--we find that these cities must serve a plethora of language groups either through a bilingual education program or some other means. The table below, which provides more specific information, is based con June 1986 telephone conversations with individual local education agencies.

City	Number of LEP Students	Number of Languages Represented
Boston......................	8,000	40
Chicago.....................	36,240	90
Fairfax County, Virginia.....	7,334	76
Houston.....................	34,000	68
Miami.......................	22,655	60
Los Angeles.................	145,206	72
New York City...............	89,563	80
Seattle.....................	2,706	55

Source: Local Education Agencies, June 1986.

Question: You note in your testimony that the Department has received 100 applications for Alternate programs for LEP student instruction "even with the 4% cap." In FY 85, there were 103 applications for Alternate programs, and you funded 34% of the applications. By comparison, 18% of the Developmental Bilingual applications were funded, 33% of the Bilingual Personnel Training programs were funded, 32% of bilingual programs for special populations including the handicapped, 8% of the applications for Family English Literacy, and 11% of applicants in the category of Instructional Materials Development. If you are making a case based on applications and availability of funds, will you be including other programs under Title VII with less than 34% successful funding rates as a rationale for changing Title VII program allocations? If not, what is the significance of the 100 applications for alternate programs which have a 34% rate of funding?

Answer: The large number of applications we received for Special Alternative Instructional programs during the first year in which funds were available illustrates the high level of interest in such programs. More importantly, however, our proposal reflects the fact that it is both inappropriate and unprecedented for the Federal government to prescribe particular instructional methods to be used in local schools. Furthermore, our legislation responds to a large body of research which demonstrates that no one method is most effective under all circumstances.

Question: Throughout your testimony and in earlier statements you contend that the goal of bilingual education is fluency in English. An early draft of the bill from the Department echoed your sentiments on acquisition of English language skills. Yet, the bill we have before us clearly says that regardless of the method of instruction, the goal of Title VII is English proficiency and developing academic achievement. Does the legislation we have before us and the inclusion of academic development represent a change in your position on the efficacy of the dual goals of transitional bilingual education?

Answer: The legislation does not represent a change in the Department's position. Inclusion of this language is compatible with previous testimony and statements concerning the Bilingual Initiative. It goes without saying that worthwhile educational programs generally include as a central goal, the development of academic achievement. Over the past year I have repeatedly stressed the goal of developing fluency in English because it is essential in preparing students to become full and productive members of society and because I was aware that some projects have neglected this goal in favor of long-term native language instruction.

Questions from Senator Edward Kennedy

Question: Would you agree that it is important to provide meaningful and quality education to LEP students in all academic subjects along with English instruction?

Answer: Yes. All children, including LEP children, should be provided with a sound education in English and in basic academic subjects. The Administration's bilingual initiative is specifically designed to strengthen Bilingual Education Act programs by providing local school districts the flexibility to best meet the educational needs of their limited English proficient population.

Question: Does instruction in a LEP child's native language help the child understand and achieve in subjects such as mathematics, science, or social science?

Answer: Instruction in the native language can help children with limited English proficiency progress in non-language subjects such as mathematics, science, or social science. However, it is not necessarily the case that, under all circumstances, non-language subjects must be taught in the non-English language while the child is learning English in order for satisfactory progress to be made.

Research shows that no particular educational approach and no specific amount of native language instruction is uniquely successful in meeting the needs of all limited English proficient children. The Administration is convinced that more effective programs will result if local educators can use a variety of methods based on their assessment of what would work for the children they serve.

Question: What types of alternative LEP programs do you believe allow children to keep up in other academic subjects while learning English?

Answer: There are outstanding programs of all kinds, including but not limited to transitional bilingual education programs, that have demonstrated remarkable success in teaching English and other subjects to limited English proficient students. For example, structured immersion instruction and a coordinated English-as-a-second language programs have both been found effective. Research shows that no particular approach is uniquely successful in meeting the needs of limited English proficient students. Rather, it shows that a variety of effective alternatives are available.

Senator **Quayle**. I now call our first panel: Dr. Porter, Ms. Wang, Mr. Mazzone, and Mrs. Falk.

OK. Our first witness is Dr. Rosalie Pedalino Porter, who is the coordinator of Bilingual and ESOL Programs from Newtonville, MA, and who is also a member of the National Advisory Committee on Bilingual Education.

Before you begin, Dr. Porter, I would like to point out to our witnesses that we will try to keep everybody to 5 minutes. I have got a little timer up here, and the green light means keep going, talk, talk, talk, and when the red light comes off, stop, stop, stop, and summarize your remarks, hopefully very shortly; if you go too far, I might just sort of point like this with the gavel to make sure. I will try to be as polite as possible and as unobtrusive as possible, but we must keep within the timeframe so we can have some questions.

Dr. Porter, welcome, and you may proceed at your pleasure.

STATEMENT OF DR. ROSALIE PEDALINO PORTER, COORDINATOR OF BILINGUAL AND ESOL PROGRAMS, DIVISION OF CURRICULUM AND INSTRUCTION, NEWTONVILLE, MA, AND MEMBER, NATIONAL ADVISORY COMMITTEE ON BILINGUAL EDUCATION; JOSEPHINE J. WANG, ESOL/BILINGUAL EDUCATOR, MONTGOMERY COUNTY PUBLIC SCHOOLS, GAITHERSBURG, MD; ERNEST J. MAZZONE, DIRECTOR OF BUREAU OF TRANSITIONAL BILINGUAL EDUCATION, MASSACHUSETTS, STATE DEPARTMENT OF EDUCATION, QUINCY, MA, AND LILLIAN FALK, ESOL COORDINATOR, PRINCE GEORGES COUNTY PUBLIC SCHOOL SYSTEM, UPPER MARLBORO, MD

Dr. **Porter**. Thank you, Senator. Good morning. I see the green light.

Senator **Quayle**. That means go.

Dr. **Porter**. I am here this morning from Massachusetts, the first State in the Nation to provide bilingual education. I support the amendment to the Bilingual Education Act which is being discussed here today, that Federal assistance be made available for education programs serving children of limited English proficiency without mandating a specific method of instruction.

In preparing my remarks, Senator, I reread testimony submitted in April 1982 before this committee and noted that the same appeal was being made then as now—for Federal support for alternative programs and research on the effectiveness of different methods.

The public rhetoric unfortunately has become even more strident in the past few years. The debate has become overly polarized, with a group on one side claiming that only one teaching method must be used, and a group on the other side calling bilingual education a total failure.

Neither of these positions is relevant to the real dilemma of our public schools: how to provide the best education in our pluralistic society.

Our language minority children are not one monolithic group, but a great variety of languages and cultures. As educators, we cannot presume that only one teaching method may be applied and no others will be allowed or supported with public funds.

The change proposed in S. 2256 will make an improvement in bilingual education that is overdue. Providing the encouragement for innovation in this relatively new area will benefit language minority children across the land.

I believe that our experience with bilingual education in Massachusetts can be useful in demonstrating the need for change. Since 1971, we have employed transitional bilingual education to meet the needs of large numbers of limited English proficient children. During this time, bilingual programs in our State have made better educational opportunities available. Many more limited English proficient students are completing their high school studies, and some are going on to higher education—a rare occurrence 15 years ago.

But changes in population and demographics are now making the adherence to this one approach unworkable and restrictive. Where we had only a few languages to teach bilingually then, and 90 percent of the students were Spanish speakers, there are now bilingual programs in 18 languages in our State, and Spanish speakers make up 59 percent of program students.

Language minority children are no longer concentrated only in large urban centers, but are living and attending school in many communities. Our experience in the city of Newton mirrors the changes in the State. Starting in 1973, with a largely Italian-speaking bilingual population, the Newton program now serves 300 children from 30 different language backgrounds. The three largest groups are speakers of Chinese, Spanish, and Italian, and for these children bilingual instruction is provided.

All others receive an ESL program that focuses on teaching subject matter and English language at the same time.

We have collected data every year recently on the development of reading skills in English which is, after all, crucial to a child's ability to function in a regular classroom. After 3 years, we see no evidence of higher performance for the groups receiving native language instruction or for the ESL groups. They are all making equal progress.

Now, this is only a small piece of research, but it demonstrates once more that it is not only the number of hours of teaching in the native language that makes for successful educational experience.

Research on the effectiveness of bilingual education is still inconclusive, but the evidence does strongly suggest that different approaches work well in different communities, that well-designed programs with competent teachers and good funding work best, no matter what their methodology.

Because the Office of Bilingual Education has allotted so little of its funding, only 4 percent, to support different initiatives, the data on the effectiveness of different methods as applied in different school districts is extremely limited.

S. 2256 also makes an important contribution by stating unequivocally in section 4 that, quote, "Regardless of the method of instruction, programs that serve limited English proficient students have the equally important goals of developing academic achievement and English proficiency." These twin goals are essential mandates for every school district.

True success for bilingual students finally must be measured by their ability to work in regular classrooms with their English speaking classmates in all the subject areas, each student at his own best pace.

Senator QUAYLE. The light is red. Please summarize.

Dr. PORTER. May I just say my last two sentences?

Senator QUAYLE. Go ahead.

Dr. PORTER. This is not a withdrawal from a commitment to bilingual education, but an expansion of its scope and possibilities. Bilingual education is coming of age. It is 18 years since title VII was adopted. We are growing up and changing, and that is healthy.

We are a pluralistic society, and we should encourage and support a variety of teaching methods for the enrichment of all our language minority students.

Thank you very much.

Senator QUAYLE. Thank you very much, Dr. Porter.

[The prepared statement of Dr. Porter follows:]

UNITED STATES SENATE COMMITTEE
ON LABOR AND HUMAN RESOURCES

SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

Statement Submitted by Dr. Rosalie Pedalino Porter

June 5, 1986

At the invitation of Senator Dan Quayle, I am submitting testimony on S2256, a bill to amend the Bilingual Education Act.

In preparing this statement, I reread testimony submitted by me on S2002 in April 1982 and was dismayed to note that the same appeals were being made at that time that we continue to make today--requests for federal support for alternative programs and research on effectiveness of different methods.

The public rhetoric, unfortunately, has become even more strident in the past few years. The debate has become overly polarized, with a self-righteous establishment on one side claiming that only one teaching method may be used and barely masking its self-interest, and a know-nothing faction on the other side calling bilingual education a total failure. Neither of these positions is relevant to the real dilemma of our public schools--how to provide the best education in our pluralistic society. Our language minority children are not one monolithic group but a great variety of languages and cultures. Who can presume that only one teaching method may be applied and no others will be allowed or supported with public funds?

The change proposed in S2256--that federal financial assistance be made available for education programs serving children of limited English proficiency without mandating a specific method of instruction--will make an improvement in bilingual education that is long overdue. Providing the encouragement for innovation in this relatively new area of education can only benefit language minority children across the land.

I believe that our experience with bilingual education in Massachusetts can be useful in demonstrating the need for change. Our state passed the first bilingual education law in the country in 1971. We were first to mandate a new experimental program--Transitional Bilingual Education--to attempt to meet the needs of large numbers of limited English proficient students. At that time the drop out rate among language minority students was extremely high and most students were not receiving an appropriate or equal education.

In the past fifteen years, Transitional Bilingual Education programs in Massachusetts have made better opportunities available to these children. Many more children are completing their high school studies and some are going on to higher education, a rare occurrence fifteen years ago.

But changes of population and demographics are now making the adherence to this one educational approach unworkable and too restrictive. Where we had only a few languages to teach in bilingually at that time, there are now bilingual programs in eighteen languages in our state. Language minority children are no longer concentrated only in large urban centers but are living and attending school in many communities. This population now represents thirty-five different languages and cultures in our state, each with its own attitudes and its own priorities.

The research of the past fifteen years, both in the United States and in other countries, has demonstrated no clear advantage for the transitional bilingual education approach when compared with English as a Second Language or with immersion programs. There is no conclusive evidence to support the insistence on one method alone for the 125 different language groups now being taught bilingually in the United States.

What the research evidence does strongly suggest is that different approaches work well in different communities; that it is not only the number of hours of teaching in the native language that makes for a successful educational experience. Because the Office of Bilingual Education has allotted so little of its funding, only 4%, to support different iniatiatives, there has been a severe limitation on the ability of local school districts and state education agencies to design the programs that best meet the needs of their particular populations. Data on the effectiveness of different methods as applied in different locales is, therefore, also extremely limited.

S2256 also makes an important contribution to the education of language minority students in stating, unequivocally, in Section 4 that "regardless of the method of instruction, programs that serve limited English proficient students have the equally important goals of developing academic achievement and English proficiency." These twin goals are essential mandates for every school district.

Successful educational outcomes for language minority students cannot be measured only by the speed with which English language skills are learned. True success for these students means their ability to work in regular classrooms with their English speaking classmates in all the subject areas, each student at his own best pace.

As a member of the National Advisory and Coordinating Council on Bilingual Education I have been involved this year in public hearings in different parts of the country on the effectiveness of bilingual education, and have assisted in preparing the Annual Report to Congress on the information we collected. I have spent the past twelve years as a bilingual educator, first as a Spanish bilingual teacher and lately as director of Bilingual and English as a Second

Language programs for the Newton Public Schools. Three hundred children speaking thirty different languages are enrolled in these programs, out of a total school population of 9,000 children city-wide. This experience, combined with my lecturing in the U. S. and abroad and visiting bilingual programs in many countries, prompts me to add my views on the importance of modifying the Bilingual Education Act with regard to funding and program options.

We have become consciously committed to special programs for language minority students in the past twenty years, knowing that extra efforts must be made if these students are to have equal access to an appropriate education in our public schools. Federal and state laws must enforce this mandate, but they must also allow flexibility in program design and provide more funding for innovation in this field.

This is not a withdrawal from the commitment to bilingual education but an expansion of its scope and possibilities. It will allow the specific needs and desires of different linguistic and cultural communities to be more effectively met. Federal support for research on programs with successful outcomes will provide useful information for school districts with established or newly emerging multicultural populations.

We are a pluralistic society--let us encourage and support a variety of teaching methods for the enrichment of all our language minority students.

The Boston Globe

WEDNESDAY, APRIL 2, 1986

It's time to restructure bilingual education

ROSALIE P. PORTER

This year marks the [illegible]th anniversary of the Massachusetts bilingual-education law, the first in the country. [illegible]

The Education Committee of the Legislature held hearings last week on two bills proposing amendments to the Transitional Bilingual Education Law. At least one bill(S296) deserves serious consideration for the improvements and expanded educational opportunities it recommends.

Since 1971, the number of children and the language groups to be served have grown dramatically. Although the majority of these children continue to be Spanish-speaking, there are bilingual programs in [illegible] languages in the state.

Ample data are [illegible] whether transitional bilingual [illegible] best approach for all [illegible] command of English [illegible] not. It has not produced [illegible] than other methods, such as [illegible] ond language, in which [illegible] tensively without using [illegible] Current evidence does not [illegible] chusetts law that insists on [illegible] only one teaching method by every school district.

Like so many fields of education, however, bilingual education has created its own conventional wisdom. Ideas abound among people of good will who want our society to fulfill its obligation to provide equal opportunity to these children. [illegible]

The most enduring proposals are: [illegible]

"You must teach these children in their own language." On the contrary, the research conducted confirms my 12 years' experience in this field that this approach not only delays the learning of English but also delays integration with English-speaking classmates.

"It takes at least seven years to learn English well enough for academic success." This is not necessarily so. In a number of school systems around the country the majority of students are able to learn English well enough for academic success in one or two years.

[illegible] teaching children in their native language [illegible] rob them of their language and their [illegible] If we consider that 23 million [illegible] a language other than English [illegible] the number is rising each [illegible] reason to fear that our linguistic diversity is in danger of dying out.

[illegible] five proposals in S296 are certain to strengthen the education of these children:

[illegible] Clearly stating that the goal of bilingual education programs is to get children with English-language skills into the mainstream of academic work.

2. Allowing a choice of options to each school district – either transitional bilingual education or English as a second language – recognizing that different language groups have different priorities.

3. Providing state funding for all students with limited English – including language groups that are not being served properly – in all districts.

4. Requiring that English-as-a-second-language teachers be trained and certified.

5. Strengthening the monitoring of student progress, and requiring statewide testing and reporting of results.

It is a cruel paradox that although transitional bilingual-education programs are promoted as the only instructional vehicle for meeting the civil rights of language-minority children, the reality is that too often these programs segregate the children for too long.

The Legislature recently passed an education-restructuring bill. It is time now to give similar attention to restructuring our bilingual-education system – not for the benefit of teachers, administrators or ideologues, but to improve the education of our children.

Rosalie P. Porter is coordinator of bilingual-education and English-as-a-second language programs in the Newton public schools.

BEST AVAILABLE COPY

— THE SUNDAY REPUBLICAN, MARCH 30, 1986 —

Time to amend bilingual law

The time has come to look objectively at the state of bilingual education in Massachusetts. This year marks the 15th anniversary of the Massachusetts bilingual education law, the first in the country.

Last week, the Legislature's Education Committee conducted hearings on two bills proposing amendments to Chapter 71-A, the Transitional Bilingual Education Law. At least one, S.295, deserves serious consideration for the improvements it recommends.

Since 1971, the number of children and the variety of language groups to be served has grown dramatically. Although most of these children continue to be Spanish speakers, there are now bilingual programs in 18 languages in this state and 125 languages in the country as a whole. Ample data is now available to determine whether transitional bilingual education (TBE) is the best approach for all limited-English children. It is not. It has not produced higher achievement than other methods such as English as a Second Language (ESL), in which English is taught intensively without using the native language. Current evidence does not support Massachusetts law that insists on the use of only one teaching method by every school district, to the exclusion of others.

Like so many fields of education, however, bilingual education has created its own "conventional wisdom." Notions about what is and is not effective practice abound among people who want society to fulfill its obligations to provide equal opportunity to language-minority children. The most enduring notions are these:

- "You must teach these children in their home language." On the contrary, research confirms my own 12 years' experience that this not only delays learning of English but also delays integration with English-speaking classmates.
- "It takes at least seven years to learn English well enough for academic success." This is not necessarily so. In a number of school systems around the country, the majority of students are able to learn English well enough for academic success in one or two years.
- "Not teaching children in their home language will rob them of their language and their culture." Again, if we consider that 23 million Americans speak a language other than English at home (and the number is rising each year), there is no reason to fear that our linguistic diversity is in danger of dying out.

What steps are needed to enable communities to do a better job for their limited-English children? Five proposals in S.295 are certain to benefit all language-minority children in the commonwealth. They call for:

1. Clearly stating that the goal of bilingual education programs is to mainstream children with English-language skills for academic work in the classroom.
2. Allowing a choice of program options to each school district — either Transitional Bilingual Education or English as a Second Language — recognizing that different language groups have different priorities.
3. Providing state funding for all limited-English-proficient students — including language populations that are currently underserved — in *all* districts, not only those who number 20 or more speaking the same language, as is now the case.
4. Requiring that English as a Second Language teachers be trained and certified.
5. Strengthening the monitoring of student progress, requiring statewide testing and reporting of results.

It is a cruel paradox that, while Transitional Bilingual Education programs are promoted as the only instructional vehicle for meeting the civil rights of language-minority children, the reality is that too often these programs segregate the children for too long. Children who are unable to take part in a lesson taught in English after seven years in a TBE program have not been given an educational opportunity equal to their native English-speaking classmates.

The Legislature invested great energy in passing an education reform bill for Massachusetts. It is time to give similar attention to reforming our bilingual education system — not to benefit teachers, administrators or ideologues, but to improve the education of our children.

ROSALIE P. PORTER

Newtonville

□ □ □

(Editor's note: The writer's experience in bilingual education includes five years as a Spanish bilingual teacher at Springfield's Armory Street School and five years as director of the New Public Schools Bilingual/ESL programs. Last year she was appointed to the national Advisory Council on Bilingual Education.)

Senator **Quayle**. Next is Ms. Josephine Wang, the ESOL/Bilingual teacher from the Montgomery County Public Schools in Gaithersburg, MD.

Ms. Wang, welcome.

Ms. **Wang**. Good morning, Senator Quayle, members of the distinguished committee, ladies and gentlemen.

My name is Josephine Wang, and I represent the Chinese schools today to speak in support of this important bill, S. 2256, the Bilingual Education Act Amendments of 1986.

The views expressed today will not represent Montgomery County Public Schools.

The removal of the statutory requirement that 75 percent of the funds be appropriated to local, transitional, bilingual, educational programs will greatly help the local jurisdictions to address their needs according to the makeup of the limited English proficiency students.

For example, Montgomery County Public Schools has 35 percent Asian LEP students and 30 percent LEP Spanish students. While Spanish LEP students can learn American history in Spanish, it is nearly impossible for Asian students who speak Khmer to learn the same subject in his or her native language.

Where can the school system identify qualified teachers in more than 50 different languages?

Consequently, money for the transitional bilingual education classes are channeled to the Spanish bilingual classes and very limited to the Asian bilingual classes. There are bilingual Asian classes such as American History taught in Vietnamese on a small scale.

Have we addressed the academic needs of the rest of the LEP students? Due to the diversity of Asian LEP students we need alternative programs to assist them in the learning of English. For example, the current 4 percent cap of funding toward alternative instruction programs should be lifted so more students can benefit from innovative programs to teach English to students who have had no education or interrupted education in their war-torn native countries.

Student/teacher ratio is about 1 to 15 in programs such as the Mobile Educational Teams. Classes are conducted in basic English with bilingual teacher assistants and have been well received by teachers and students alike. Additionally, ethnic community assistance should be solicited so that LEP students can have a smooth transition into the new language and culture.

Some may argue that the emphasis on intensive English does not focus on the diversity of recent immigrants.

The perfect solution to this problem is to set up neighborhood weekend schools, such as the weekend Chinese language schools throughout the United States. There are over 70 such schools in the Eastern United States alone. The Korean and Vietnamese communities have similar schools. The need for building facilities and the services performed are much the same.

During this past weekend, these schools held their 13th Annual Association of Chinese Schools Conference, with almost 500 attendees, at Pace University, NY.

The private initiative and voluntarism on the part of these Chinese parents are commendable. I have been intimately involved with the Potomac Chinese School where I was the director of education, a teacher, and I am currently a parent.

At least 10,000 students are enrolled in these schools, which charge tuition in order to pay for the building rental. This has always been a tremendous burden for these schools because the rent is about one-third of the school budget. In addition, curriculum designed to fit the needs of these students must be properly developed. Many Chinese LEP students enroll in one of these schools which service the American-born Chinese as well as the Chinese LEP students. The LEP usually learns English from the ABC and the ABC learns Chinese from the LEP. Therefore these schools are support systems within the community.

In conclusion, I would like to share with you that Asian parents want their children to have English as their dominant language. This will enable them to mainstream in the total school environment and indeed life in their adopted country.

However, equally important is that their children preserve their heritage language and culture which stress on being diligent, respect the elders, respect authority, and a sense of pride in their history, music, art, calligraphy, folklore, and dance.

Furthermore, our national security will be better equipped in handling countries abroad. These ethnic schools are resource centers where we can draw understanding and appreciation of the cultural, historical, and political differences where they may lie.

If some funds can be channeled through these weekend ethnic schools to pay for the building rental, it would indeed be a step toward a dual purpose—strengthening the common language which bonds all of us together as Americans and at the same time, encourage ethnic diversity and pride.

The Asian communities trust your leadership and vision in the education of all LEP students and their cultural pride.

Thank you for giving us this opportunity to speak.

Senator QUAYLE. Thank you very much, Ms. Wang, and all of your testimony will be made a part of the permanent record, as well as the other witnesses, even though you may not be able to give it all.

[The prepared statement of Ms. Wang follows:]

A TESTIMONY

TO

THE SUBCOMMITTEE ON EDUCATION, ARTS, AND HUMANITIES
OF THE SENATE LABOR AND HUMAN RESOURCES COMMITEE

ON

S. 2256, THE BILINGUAL EDUCATION ACT AMENDMENTS
OF 1986

BY

JOSEPHINE J. WANG
CITIZEN ADVISORY COMMITTEE
REPRESENTATIVE FOR THE CHINESE SCHOOLS
INTERAGENCY COORDINATING BOARD
MONTGOMERY COUNTY GOVERNMENT
MONTGOMERY COUNTY, MARYLAND

ESOL/BILINGUAL EDUCATOR
MONTGOMERY COUNTY PUBLIC SCHOOLS
MONTGOMERY COUNTY, MARYLAND

13636 Glenhurst Road
Gaithersburg, Maryland 20878
(301) 840-1624 ...Home
(301) 230-2846 ...Office

JUNE 5, 1986

ROOM 430

DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, D.C.

GOOD MORNING, MR. CHAIRMAN, SENATOR QUAYLE, MEMBERS OF THIS DISTINGUISHED COMMITTEE, LADIES AND GENTLEMEN.

MY NAME IS JOSEPHINE WANG AND I AM HONORED TO BE HERE TODAY TO SPEAK IN SUPPORT OF THIS IMPORTANT BILL, S. 2256, THE BILINGUAL EDUCATION ACT AMENDMENTS OF 1986. EVEN THOUGH I AM AN ESOL/BILINGUAL EDUCATOR IN THE MONTGOMERY COUNTY PUBLIC SCHOOLS, MONTGOMERY COUNTY, MARYLAND, THE VIEWS EXPRESSED TODAY WILL NOT REPRESENT MONTGOMERY COUNTY PUBLIC SCHOOLS.

THE REMOVAL OF THE STATUTORY REQUIREMENT THAT 75% OF THE FUNDS BE APPROPRIATED TO LOCAL TRANSITIONAL BILINGUAL PROGRAMS WOULD GREATLY HELP THE LOCAL JURISDICTIONS TO ADDRESS THEIR NEEDS ACCORDING TO THE MAKE-UP OF THE LIMITED ENGLISH PROFICIENCY STUDENT POPULATION.

FOR EXAMPLE, MONTGOMERY COUNTY PUBLIC SCHOOLS HAS 35% ASIAN LEP STUDENT POPULATION AND A 30% SPANISH LEP STUDENT POPULATION. (PLEASE REFER TO EXIBIT 1). WHILE SPANISH LEP STUDENTS CAN LEARN AMERICAN HISTORY IN SPANISH, IT IS NEARLY IMPOSSIBLE FOR ASIAN STUDENTS WHO SPEAK KHMER TO LEARN THE SAME SUBJECT IN HIS/HER NATIVE LANGUAGE. WHERE CAN THE SCHOOL SYSTEM FIND QUALIFIED TEACHERS IN MORE THAN SIXTY DIFFERENT LANGUAGES? CONSEQUENTLY, MONEY FOR THE TRANSITIONAL BILINGUAL CLASSES ARE CHANNELED TO THE SPANISH BILINGUAL CLASSES AND VERY LIMITED TO THE ASIAN BILINGUAL CLASSES. THERE ARE BILINGUAL ASIAN CLASSES SUCH AS AMERICAN HISTORY TAUGHT IN VIETNAMESE. HAVE WE ADDRESSED THE ACADEMIC NEEDS OF THE REST OF THE LEP STUDENTS? THIS BRINGS ME TO DISCUSS THE OTHER POINT : THE CURRENT 4% CAP OF FUNDING TOWARD ALTERNATIVE INSTRUCTION PROGRAM SHOULD BE LIFTED SO MORE STUDENTS CAN BENEFIT FROM INNOVATIVE PROGRAMS TO TEACH ENGLISH TO THE STUDENTS WHO HAVE HAD NO EDUCATION OR INTERRUPTED EUDCATION IN THEIR WAR TORN NATIVE COUNTRIES. STUDENT/TEACHER RATIO IS ABOUT ONE TO EIGHT IN PROGRAMS SUCH AS THE MOBILE EDUCATIONAL TEAMS (METS). CLASSES ARE CONDUCTED IN BASIC ENGLISH WITH BILINGUAL TEACHER ASSISTANTS AND HAVE BEEN WELL RECEIVED BY TEACHERS AND STUDENTS ALIKE.

SOME MAY ARGUE THAT THE EMPHASIS ON INTENSIVE ENGLISH PROGRAMS ARE A FORM OF CULTURAL IMPERIALISM WHICH DOES NOT FOCUS ON THE DIVERSITY OF RECENT IMMIGRANTS. THE PERFECT SOLUTION TO THIS 'PROBLEM' IS TO SET UP NEIGHBORHOOD WEEK-END SCHOOLS SUCH AS THE WEEKEND CHINESE SCHOOLS THROUGHOUT U.S. THERE ARE OVER SEVENTY SUCH SCHOOLS IN THE EASTERN U.S. ALONE. DURING THE MEMORIAL WEEKEND, THESE SCHOOLS HELD THEIR 13th ANNUAL ASSOCIATION OF CHINESE SCHOOLS CONFERENCE WITH ALMOST 500 ATTENDEES IN WEST CHESTER, NEW YORK. THE PRIVATE INITIATIVE AND VOLUNTEERISM ON THE PART OF THESE CHINESE PARENTS ARE COMMENDABLE. I HAVE BEEN INTIMATELY INVOLVED WITH THE POTOMAC CHINESE SCHOOL FOR AT LEAST SIX YEARS. (PLEASE REFER TO EXHIBITS 2,3,4 & 5) AT LEAST 10,000 STUDENTS ARE ENROLLED IN THESE SCHOOLS WHICH CHARGE A TUITION IN ORDER TO PAY THE BUILDING RENTAL. THIS HAS ALWAYS BEEN A TREMENDOUS BURDEN FOR THESE SCHOOLS BECAUSE THE RENT IS ABOUT ONE THIRD OF THE SCHOOL BUDGET. IN ADDITION, CURRICULUM DESIGNED TO THE NEEDS OF THESE CHILDREN MUST BE PROPERLY DEVELOPED. MANY CHINESE LEP STUDENTS ENROLL IN ONE OF THESE SCHOOLS WHICH SERVICE THE ABC's (AMERICAN BORN CHINESE). SOMETIMES TENSION OCCURS DUE TO STUDENTS' DIFFERENT ABILITIES BETWEEN THE LEP AND THE ABC.

A PASSAGE OF THIS BILL WILL ALSO ADDRESS SOME PROBLEMS WITHIN THE TESTING PROCEDURES OF ESOL/BILINGUAL PROGRAMS. SPECIFICALLY, THE PICTURES OF THE ORAL PROFICIENCY TESTS CAN BE UPGRADED BY USING PHOTOGRAPHS INSTEAD OF LINE DRAWINGS. (PLEASE REFER TO EXHIBITS 6,7&8) MORE PERSONNEL CAN BE USED TO DESIGN BETTER , MORE ACCURATE TESTS. IN ADDITION BETTER MONITORING OF STUDENT PROGRESS CAN BE CONDUCTED.

IN CONCLUSION, I WOULD LIKE TO SHARE WITH YOU THAT ASIAN PARENTS WANT THEIR CHILDREN TO HAVE A DOMINANT LANGUAGE WHICH IS ENGLISH. THIS WILL ENABLE THEM TO MAINSTREAM IN THE TOTAL SCHOOL ENVIRONMENT AND INDEED LIFE IN THEIR ADOPTED COUNTRY. HOWEVER, EQUALLY IMPORTANT IS THAT THEIR CHILDREN PRESERVE THEIR HERITAGE LANGUAGE AND CULTURE WHICH STRESS ON BEING DILIGENT, RESPECT THE ELDERS, RESPECT AUTHORITY AND A SENSE OF

PRIDE IN THEIR HISTORY, MUSIC, ARTS, CALLIGRAPHY, FOLKLORE, AND DANCE.

IF SOME FUNDS CAN BE CHANNELED THROUGH THESE WEEKEND ETHNIC GROUPS TO PAY FOR THE BUILDING RENTAL, IT WOULD INDEED BE A STEP TOWARD A DUAL PURPOSE: STRENGTHEN THE COMMON LANGUAGE WHICH WE ALL SHARE AND CHERISH AND AT THE SAME TIME, ENCOURAGE ETHNIC DIVERSITY AND PRIDE.

THE ASIAN COMMUNITIES TRUST YOUR LEADERSHIP AND VISION IN THE EDUCATION OF ALL LEP STUDENTS AND THEIR CULTURAL PRIDE.

THANK YOU FOR GIVING ME THIS OPPORTUNITY TO SPEAK.

MONTGOMERY COUNTY
PUBLIC SCHOOLS
ROCKVILLE, MARYLAND

Evaluation of the ESOL/Bilingual Program: Phase III

A Further Analysis of the High School Program of Services

April 1986

DETAILED REPORT

Wilmer S. Cody
Superintendent of Schools

Prepared by the Department of Educational Accountability

EXHIBIT 1

Native Languages of 1984-85 ESOL/Bilingual Students *

Language	No. of Students	Language	No. of Students
Afrikaans	1	Khmer	192
Amharic	31	Korean	290
Arabic	47	Lao	31
Armenian	4	Malay	3
Bengali	15	Mandarin	272
Bulgarian	3	Marathi	3
Burmese	6	Nepali	3
Cantonese	83	Norwegian	1
Caribbean	26	Panjabi	5
Creole French	31	Pashto	4
Danish	3	Polish	11
Dutch	12	Portuguese	106
Fanti	1	Russian	2
Farsi	132	Serbo-Croatian	6
Finnish	7	Sinhalese	1
French	76	Somali	2
Fukien	1	Spanish	1331
Ga	7	Swahili	12
German	2	Swedish	2
Greek	20	Tagalog	23
Gujarati	22	Tamil	3
Hakka	1	Telugu	5
Hausa	1	Thai	37
Hebrew	70	Turkish	10
Hindi/Urdu	63	Twi	10
Hungarian	12	Vietnamese	351
Ibo	2	Wolof	2
Indonesian	38	Yoruba	13
Italian	27		
Japanese	167	Other	46

* There has been little change in the demographic composition of the MCPS ESOL/Bilingual population from 1982-83 to the present.

Exhibit B

Background:

The Potomac Chinese School opened its doors in 1976 with fifty students in three classes. Today it has an enrollment of four hundred seventeen students in twenty-five classes making it the biggest of its kind in the United States. It receives no Federal or State monies so it is non-profit, non-political as well as non-sectarian. It is supported by the efforts of the teachers & parents.

Objectives:

- To teach students, primarily between five & eighteen years of age, the four skills of Mandarin: listening, speaking, reading & writing.

2. To promote students' understanding & appreciation of Chinese culture.

Services:

Since the School is accredited by Maryland State Department of Education, it

1. provides students with the opportunity to earn one-half foreign language credit for the annual 34-week period.
2. promotes cultural understanding through the participation in various activities of the Montgomery County Public Schools.

Board Members:

The Board is made up of nine members elected by the General Assembly to carry out the policies & procedures of the Constitution.

- Principal
- Vice Principal
- Secretary
- Treasurer
- Teaching Officer
- Recreation Officer
- Business Officer
- Admissions Officer
- Cultural Officer

Location:

The School is located at Herbert Hoover Jr. High School
3310 Post Oak Road
Potomac, Maryland.

博城中文學校

The Potomac
Chinese School

Potomac, Maryland

Schedule of classes:

- Every Sunday from 2 - 4 p.m.
- Follows MCPS school calendar for most holidays & snow days.

Publications:

1. Annual year book of student activities.
2. Standardized work-books of different levels.
3. Monthly newsletters

Mailing Address:
P.O. 34151
West Bethesda
Maryland 20817

Exhibit 4

博城中文學校

成績單

學生姓名
班　次

出席紀錄

	第一學期	第二學期
出席日數		
缺席日數		

家長意見：

第一學期

第二學期

198 -8 年度

	優 Very Good	良 Good	中 Satisfactory	可 Need Improvement	優 Very Good	良 Good	中 Satisfactory	可 Need Improvement
講 Oral Proficiency								
聽 Listening Comprehension								
讀 Reading								
寫 Writing								
造句 Sentence Making								
翻譯 Translation								
作業 Homework								
興趣 Interest Level								
	第一學期				第二學期			

	第一學期	第二學期
老師簽名		
家長簽名		

Teacher's Comments 老師評語

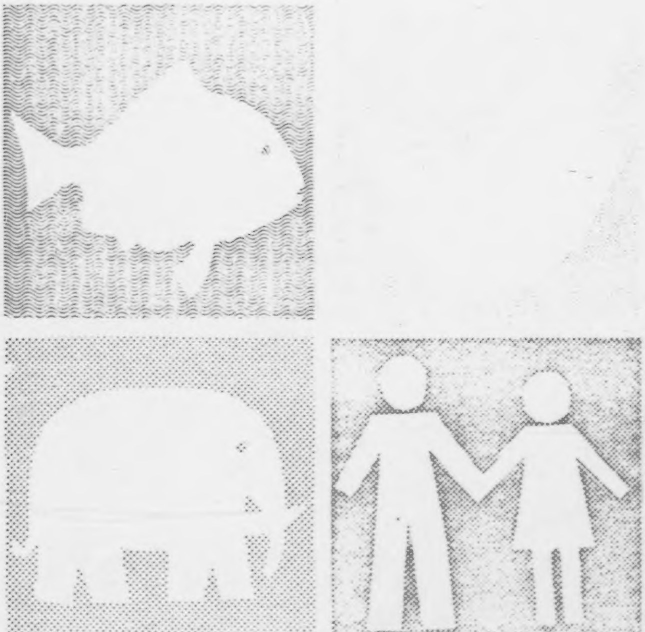
第一學期：

第二學期：

Exhibit
5

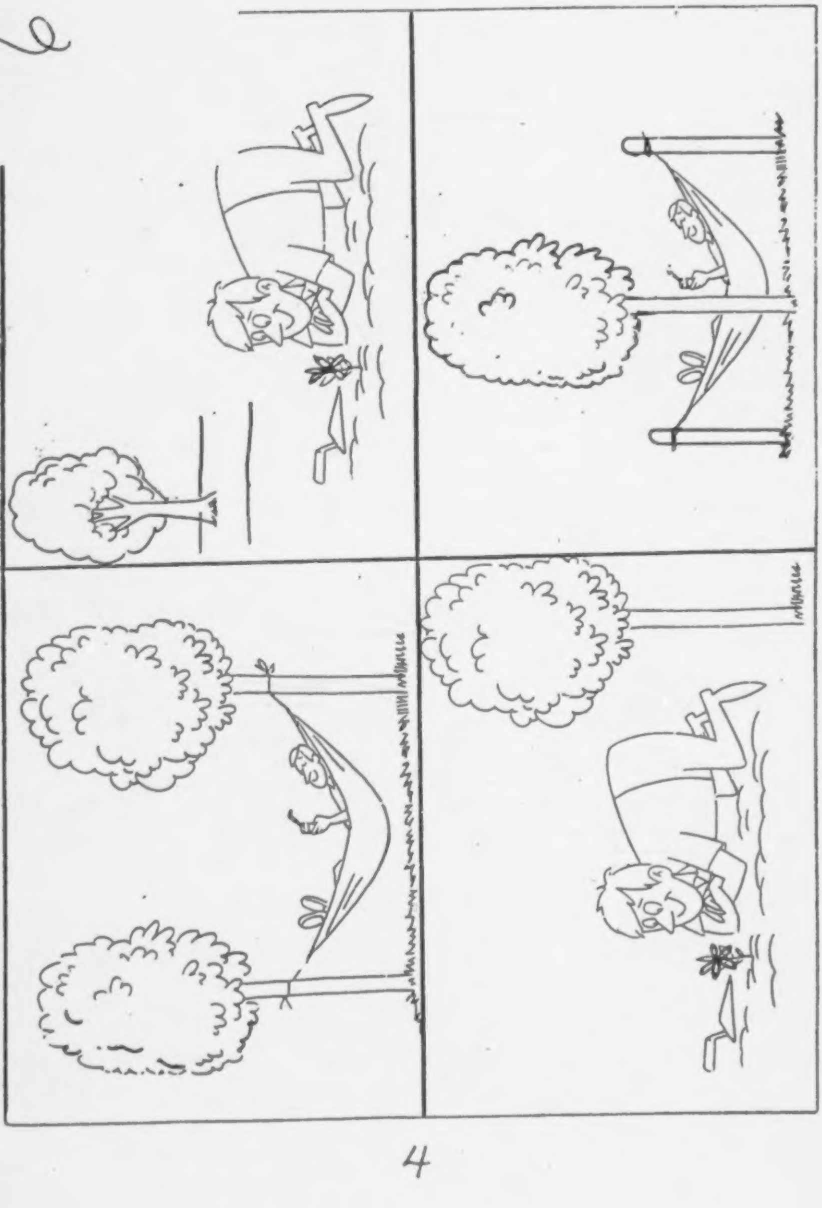
波士頓中文學校教材

第二冊



博城華語學校
Potomac Chinese School
P. O. Box 2433
Rockville, Md. 20852

Exhibit 6



4

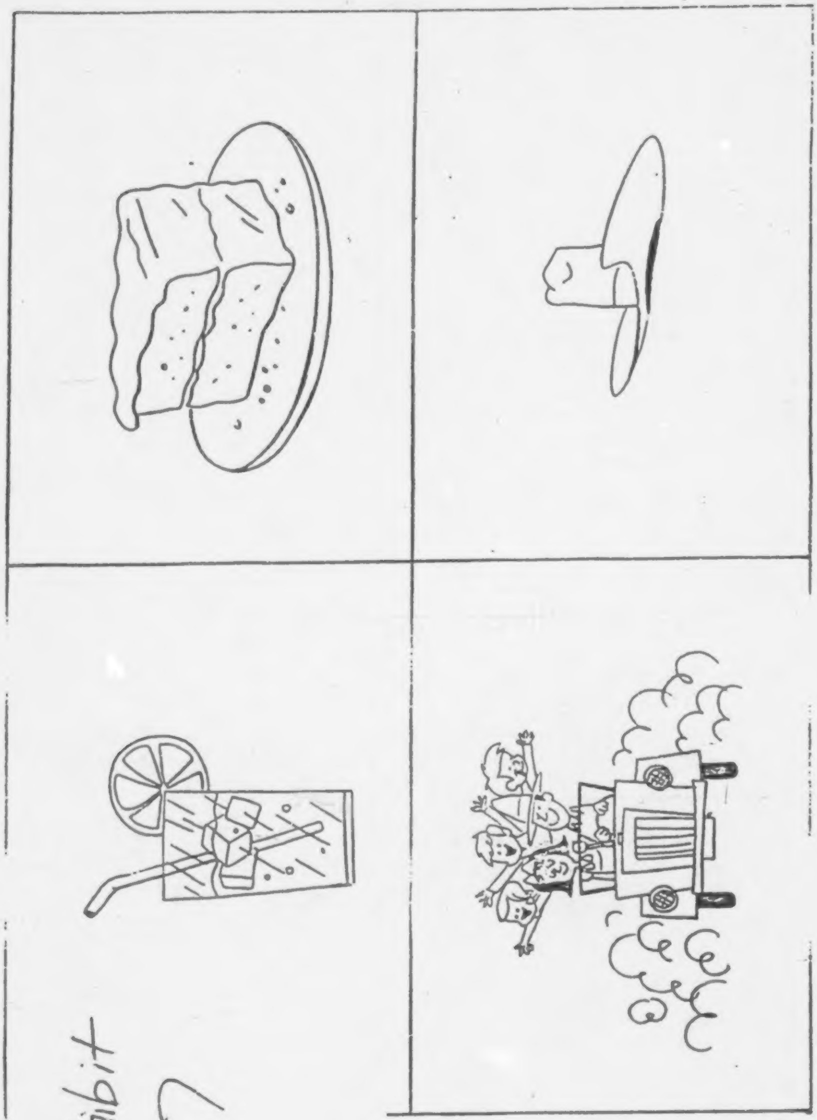


Exhibit 7

15

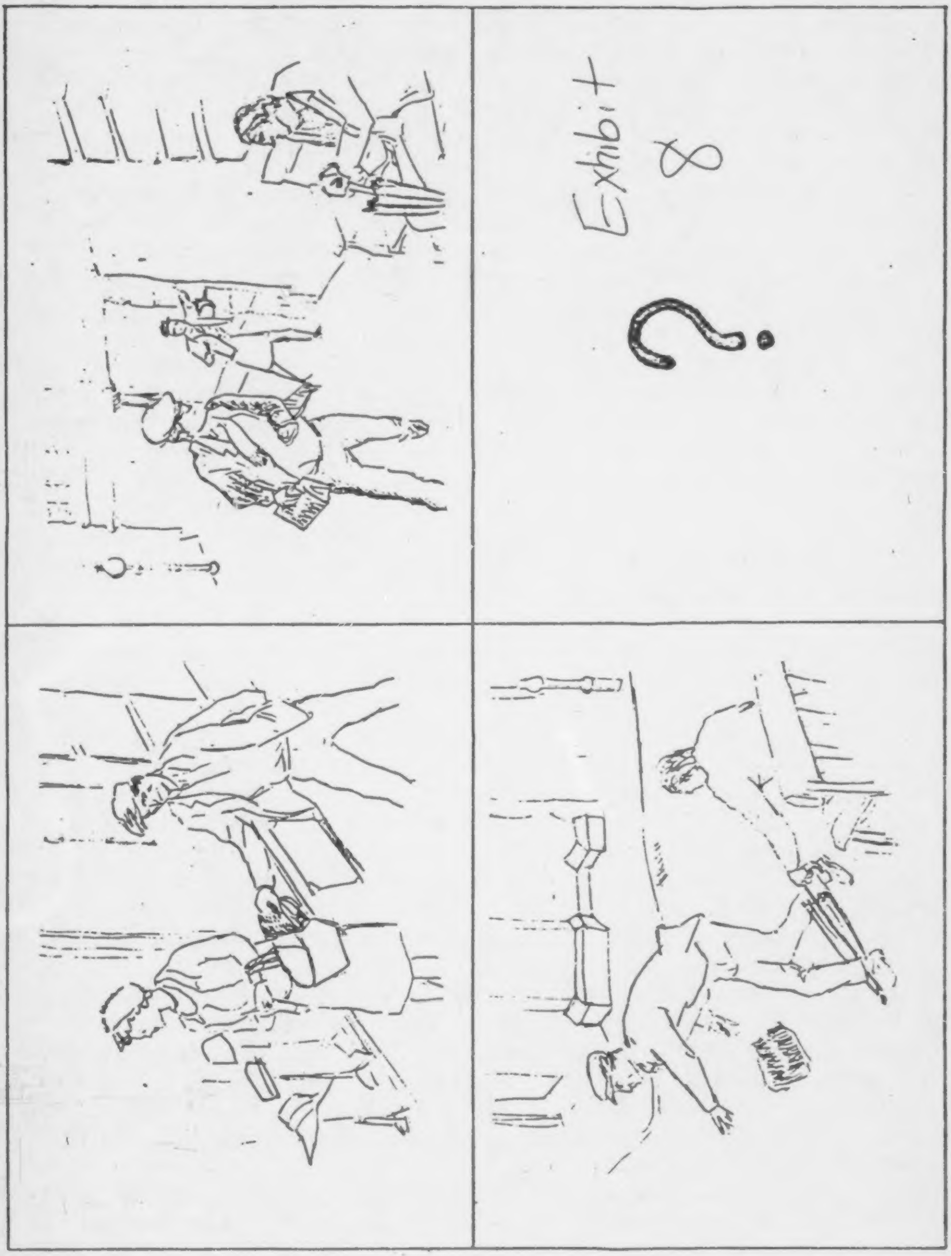


Exhibit 8

Senator **Quayle**. Our next witness is Mr. Ernest Mazzone, director of the bureau of transitional bilingual education, Massachusetts State Department of Education in Quincy, MA.

Mr. Mazzone, welcome.

Mr. **Mazzone**. Thank you, Mr. Chairman, honorable members of the subcommittee, and if I might, our own Senator Kennedy from Massachusetts.

From its inception in 1968, title VII, the Bilingual Education Act, has been the only Federal program specifically authorized by the Congress to provide funds to promote bilingual education in the Nation. That was the original intent of Congress; to this day, the original intent has prevailed. It has been reconfirmed over and over again at each reauthorization period.

The money appropriated by Congress seeks to promote and encourage with full parental consent an instructional treatment for children who are limited English proficient and who otherwise would not be given their right to an education appropriate for them and one in which they succeed.

It is important to note that the funds available each year out of the appropriation are but a tip of the iceberg when we consider that it amounts to less than 5 percent of what is required to minimally satisfy the need.

Now to suggest that we further dilute the limited available resources by providing funds for nonbilingual programs serving limited English students amounts to open robbery from an already impoverished resource.

I have no problem with the Federal Government giving assistance to help schools serve children who are not enrolled in bilingual education, whether the reason be parental choice or inability of a school district to provide the service. Other Federal programs should be used to do this.

In fact, the current title VII law provides a mechanism to increase support for nonbilingual alternative treatments without reducing the level of funding for the promotion of bilingual instructional treatment.

On the purely educational side of the issue, you should be aware of the fact that the very idea of bilingual education from its very beginning was to recognize the native language of a limited English proficient child as a tool to the learning of English. So that newcomers, immigrants and migrants alike could make it in the schools, and then when they graduated from high school, they could make it in the society.

It is obvious to most people that there is no quick, magical shortcut to learning a second language. It takes time. The amount of time varies with the learner.

What kind of previous learning experience a child has had is very critical. It might include formal schooling, home training, church tutoring, community-based instruction, private lessons, or no schooling at all. It also requires that we utilize to the fullest what we know to be effective practices in second language learning. It must consider the maturation level of the child and his receptivity to learning new material like a second language.

It must ask how well-founded is he in his own language; is he literate; where does the child fall on the speed track with respect to learning new material, whether it be arithmetic, spelling, or oral language, especially a second language.

These are the serious educational issues that bilingual education has continued to address with intelligence, understanding, and success.

When we cut through all the antibilingual rhetoric, we continue to find that bilingual programs that allow students to continue to study complex ideas in their own language while learning English have a proven record of success when these programs are allowed to blossom to their full potential.

We have many concrete examples of this in our own State of Massachusetts and in every State in the Union. I shall allude to these points again later in my testimony.

In Massachusetts after a mere decade in a three-century old educational establishment, we have continued to find that the typical bilingual enrolled student has far better rates of school attendance, better performance in promotion, grade average, and school retention than the nonbilingual-enrolled limited English proficient child enrolled in the public schools.

The research confirms not only in Massachusetts but elsewhere that the best second language learners are those who feel no threat to their first language and culture.

I will not go into all the details of the two most recent studies we conducted in Massachusetts, but I shall make them part of the record, both the full reports and the executive summaries of the statewide status of bilingual education in Massachusetts recently completed and the Carballo-Walsh effectiveness studies.

A recently released—I am going to try to sum up, Senator.

Senator **Quayle**. OK.

Mr. **Mazzone**. A recently released preliminary first-year report of an ongoing 4-year national study by Science Research Associates Technologies sponsored by the Secretary of Education Bennett states the following: "Limited English proficient students in bilingual programs consistently outperform English immersion strategy students."

So I urge the Congress to proceed with deliberate care in considering a shift of funding from bilingual to English-only programs. I urge you, Mr. Chairman and members of the committee, not to take any such action. Especially, I encourage you to examine fully Secretary Bennett's 4-year study when completed before you make any decision on this matter.

Finally, let me note that in the last legislative session in Massachusetts, an attempt was made by the statewide school board association to eliminate the mandated transitional bilingual education program at the local level and to allow local school districts to decide what was right for limited English proficient populations—not the parent nor necessarily an informed educational practitioner.

This proposal was opposed by a number of informed constituencies: the Massachusetts Teachers Association, the Statewide Superintendents Association, and especially vociferous were the superintendents from the large urban centers, where most of the limited English-speaking minority populations live.

Others who opposed the notion were parent advisory councils locally and statewide, parents themselves, the commissioner of education, the State board of education, the Massachusetts Great and General Court, and a large number of private and public sector groups and people.

The proposal, if passed, would have raped the parents of their right to choose. Children's rights to an instructional treatment appropriate to their needs would have been at risk. Yet, once again as in the past, the great and general court in Massachusetts rejected the proposal as unacceptable. It did it unequivocally and with determination under the command leadership of the joint education committee chairmen, D'Amico and Paleologos.

The commitment was made not to eliminate, but to vigorously strengthen the mandate and to make it more responsive to the eighties. Once again, in Massachusetts, the people spoke.

Thank you, Mr. Chairman.

Senator QUAYLE. Thank you, Mr. Mazzone.

[The prepared statement of Mr. Mazzone follows:]

The Commonwealth of Massachusetts
Department of Education

1385 Hancock Street, Quincy, Massachusetts 02169

June 5, 1986

United States Senate
Washington, D.C. 20510

Hearing on
S.2256, Bilingual Education Act Amendments of 1986, the Subcommittee on Education and Human Resources Committee, June 5, 1986, 9:30 A.M., Room 430, Dirksen Senate Office Building, Washington, D.C.

Testimony of
Ernest J. Mazzone
Director
Bureau of
Transitional Bilingual Education
Massachusetts Department of Education

Mr Chairman, Honorable members of the Subcommittee on Education, Arts and Humanities, and, if I might, our beloved senator from Massachusetts, Edward Kennedy.

From its inception in 1968 Title VII, The Bilingual Education Act has been the only federal program specifically authorized by the Congress to provide funds to promote bilingual education in the nation. That was the original intent of Congress. To this day the original intent has prevailed. It has been reconfirmed over and over again at each reauthorization period.

The money appropriated by Congress seeks to promote and encourage with full parental consent an instructional treatment for children who are limited English proficient and who otherwise would not be given their right to an education appropriate for them and one in which they succeed. It is important to note that the funds available each year of the appropriation are but a tip of the iceberg when we consider that it amounts to less than 5 % of what is required to minimally satisfy the need.

Now to suggest that we further dilute the limited available resources by providing funds for non-bilingual programs serving limited English students amounts to open robbery from an already impoverished resource.

I have no problem with the federal government giving assistance to help schools serve children who are not enrolled in bilingual education whether the reason be parental choice or inability of a school district to provide the service. Other federal programs should be used to do this. In fact the current Title VII law provides a mechanism to increase support for non-bilingual alternative treatments without reducing the level of funding for the promotion of the bilingual instructional treatment.

On the purely educational side of the issue you should be aware of the fact that the very idea of bilingual education from its very beginning was to recognize the native language of a limited English proficient child as a tool to the learning of English. So that newcomers, immigrants and migrants alike could make it in the schools and then when they graduated from high school they could make it in the society.

It is obvious to most people that there is no quick magical short cut to learning a second language. It takes time. The amount of time varies with the learner. What kind of previous learning experience a child has is very critical. It might include formal schooling, home training, church tutoring, community based instruction, private lessons or no schooling at all. It also requires that we utilize to the fullest what we know to be effective practices in second language learning. It must consider the maturation level of the child and his receptivity to learning new material like a second language. It must ask, How well founded is he in his own language? Is he literate? Where does the child fall on the speed track with respect to learning new material whether it be arithmetic, spelling, or oral language, especially a second language? These are the serious educational issues that bilingual education has continued to address with intelligence, understanding and success.

When we cut through all the anti-bilingual rhetoric, we continue to find that bilingual programs that allow students to continue to study complex ideas in their own language while learning English have a proven record of success when thses programs are allowed to blossom to their full potential. We have many concrete examples of this in our own state of Massachusetts and in every state in the Union. I shall allude to this point again later on in my testimony.

In Massachusetts after a mere decade in a three century old educational experience we have continued to find that the typical bilingual enrolled student has far better rates of school attendance, and better performance in promotion, grade average and school retention than the non-bilingual enrolled limited English proficient child enrolled in the public schools.

The research confirms not only in Massachusetts but elsewhere that the best second language learners are those who feel no threat to their first language and culture. I will not go into the details of the two most recent studies we conducted in Massachusetts, but I shall make them part of this record. Both the full reports and the executive summaries of the statewide status of bilingual education in Massachusetts and the Carballo-Walsh Effectiveness studies are attached.

A recently released preliminary first year report of an ongoing four year national study by Science Research Associates Technologies sponsored by Secretary of Education Bennett states the following: "Limited English proficient students in bilingual programs consistently outperform English immersion strategy students."

Now I know that my pro-immersion colleagues will quote statistics and other very remarkable anecdotal cases to refute my facts, if they haven't done so already orally or in print. But generally they speak about a very priveledged population. They are atypical of the 5.3 million limited English proficient school aged children in these United States.

On another matter. Would the proposed amendments increase flexibility? No. The issue is really one of convenience to local school districts and an opportunity for those who would rid our schools of bilingual education. Local school districts already have the flexibility they need. Remember Title VII is not a mandated program. It tries to help those local school districts who offer bilingual education either through local choice with parental consent, state law, court order or civil rights compliance plans.

Title VII does not prevent districts form providing all Englihs immersion, but it should as it now does restrict the use of Title VII funds for this purpose. Local school districts can design any program they want, but should not be allowed to use Title VII funds to implement non-bilingual programs.

Bilingual education encompasses all those general principles of innovation and flexibility that apply to any sound educational program: team teaching, computer aided instruction, increased English usage commensurate with English proficiency, tailor-made individual learning plans, a recognition of the weaknesses and strengths of learners and the text-book list goes on.

Bilingual education is a fundamental response to a fundamental need. It is not a matter of aporoach. It is a natural response to a natural attribute of a child and it is inherently flexible.

Continued E.J. Mazzone testimony on S2256

I made reference earlier to Secretary Benett's four year longitudinal study of the effects of bilingual education versus English immersion treatments. The first year results show that immersion is not the panacea for limited English proficient minority students that some have claimed. Bilingual and cognitive research already available also indicates that transfer of literacy between languages is an established fact. This means that once the basic principles of reading are mastered in the home language, reading skills transfer quickly and easily to a second language.

For children whose parents have little education and poor literary skills this should be the preferred treatment. Such children run the serious risk of failing to learn to read if the problem of reading itself is made more difficult for them by being presented to them in a language they control poorly.

So I urge the Congress to proceed with deliberate care in considering a shift of funding from bilingual to English only programs. I urge you, Mr. Chairman, and members of the Committee not to take any such action. Especially I encourage you to examine fully Secretary Bennett's four year study when completed before you make any decision on this matter.

Finally, let me note that in the last legislative session in Massachusetts an ill-advised attempt was made by the statewide school-board association to eliminate the mandated transitional bilingual education program at the local level and to allow local school committees decide what was right for limited English proficient populations, not the parent, nor necessarily an informed educational practitioner. This proposal was opposed by a number of informed constituencies: the Massachusetts Teachers Association, the statewide superintendents association, and especially vociferous were the superintendents from the large urban centers where most of the limited English speaking populations live. Others who opposed the notion were parent advisory councils locally and statewide, parents themselves, the commissioner of education, the state board of education, Massachusetts Great and General Court and a large number of private and public sector groups and people.

The proposal, if passed, would have raped the parents of their right to choose. Children's rights to an instructional treatment appropriate to their needs would have been at risk. Yet, once again as in the past the Great and General Court in Massachusetts rejected the proposal as unacceptable. It did it unequivically and with determination under the command leadership of the joint education committe chairmen, D'Amico and Paleologos. The commitment was made not to eliminate, but to vigorously strengthen the mandate and to make it more responsive to the 80's. Once again the people spoke.

TISd
10'1T

Senator QUAYLE. Mrs. Lillian Falk, the ESOL coordinator in the Prince Georges County Public School System in Upper Marlboro, MD.

Mrs. Falk.

Mrs. FALK. Mr. Chairman, while I am pleased and honored to be here today, I think it is important that an educational program manager at my day-to-day operational level has input to this committee.

The Prince Georges County Public School System is the third largest urban suburban school system in the United States, with 103,000 students in 175 schools. Limited English proficiency, LEP, students in our system represent 124 different languages. ESOL instruction is currently provided for 1,800 students from 152 schools.

We are strongly committed to the principle that no student be denied educational opportunity by virtue of lack of proficiency in English.

The ESOL Program we have had in our county for the past 18 years demonstrates this commitment. We believe this approach is an approach of merit which has been effectively meeting the needs of literally thousands of students, not only in our school system, but across the Nation.

ESOL instruction in our system is provided kindergarten through 12th grade by trained teachers, 93 percent of whom are certificated. Curriculum guides for structured sequential English instruction for all levels are available and inserviced in a timely fashion.

In addition to providing ESOL instruction, the ESOL staff also provides inservice to classroom teachers and administrators and also helps parents and ethnic organizations to help them understand and participate in our schools and communities. We have reached out to community personnel, such as county police and doctors, to provide insight into the cultural differences of the people we all serve.

For the first decade, the ESOL Program was funded exclusively by Prince Georges County funds. The major portion of funding is still provided by the county. This current year for the first time, it was possible for ESOL programs to submit a proposal for title VII funds under section 721, part 3. While 72 percent of the proposals for alternative instruction were not funded, we were successful in obtaining a grant to serve our widely dispersed LEP students.

It should be noted that under the present bilingual education law, only 4 percent of total funds were allocated for special alternative instructional programs. This very minimal percentage of funds would appear to signal to local boards of education that the U.S. Government prefers one method of instruction over others, although to date there has been no evidence that the method getting the greatest funding support provides the superior educational approach.

It can be demonstrated that the ESOL approach for LEP students effectively equips them to function in our schools and in our society.

For example, the State of Maryland requires students to pass functional tests in order to graduate. To date, no Prince Georges

County ESOL student has been denied graduation because of inability to pass these tests.

ESOL students are winners at school science fairs and have even participated in scientific experiments that were selected for space.

In our high schools, with significant numbers of LEP students, the percentage of ESOL students who achieve honor roll status is one-third larger than one would expect from their proportion in the total student body.

Our language minority students are not only in the mainstream, they are participating in Prince Georges County programs for the talented and gifted, in our special science and technology programs, and in the past 2 days, we had two valedictorians who were foreign-born students.

Many of the non-English speaking refugees who have entered our schools, pre- or non-literate in their own language, have gone on to higher education after only 4 years in our high school. We feel very strongly that our ESOL approach provides the very diverse students we are serving with the most efficient, most rapid way of preparing them to understand, speak, read, and write English.

We feel that the Federal Government should recognize and provide more support for alternative approaches toward meeting the needs of our multiethnic limited English-speaking student population.

The charge to and responsibility of local boards of education is to determine educational policies and to direct local staff to develop instructional programs to fulfill those policies. Encouraging a special instructional program by preferential funding runs counter to this basic charge.

The many thousands of local school districts in the country have as many different populations with different characteristics and needs. In order to meet this diversity of need, we urge you to provide funding on a more equitable basis to all approaches of merit.

We strongly urge the passage of S. 2256. I thank you.

Senator QUAYLE. Thank you very much, Mrs. Falk.

[The prepared statement of John A. Murphy, as submitted by Mrs. Falk, follows:]

PRINCE GEORGES COUNTY
PUBLIC SCHOOLS,
Upper Marlboro, MD, May 12, 1986.

Hon. DANIEL QUAYLE,
Subcommittee on Education, Art and the Humanities, Committee on Labor and Human Resources, Washington, DC.

DEAR SENATOR QUAYLE: It is my understanding that the Subcommittee on Education, Art and Humanities of the Committee on Labor and Human Resources will be meeting to take testimony regarding your bill, S. 2256 to amend the Bilingual Education funds. It is extremely important to Prince George's County that your amendment be adopted to allow these funds to be used for ESOL instruction to serve students with limited English proficiency.

The Prince George's County Public School system in Maryland is the 16th largest school system in the U.S. and the third largest urban-suburban school system in the country. We enroll 103,000 students in 175 schools. Students in our system with limited English proficiency represent 120 different languages. We are strongly committed to the principle that no student be denied educational opportunities, by virtue of lack of proficiency in English. The ESOL program we have had in our County for the past 18 years demonstrates this commitment. We believe this approach is an approach of merit which has been effectively meeting the needs of literally thousands of students not only in our school system, but across the nation.

In Prince George's County, all foreign students register at a central office, which provides county-wide consistency in evaluation of credits and in grade placement. All language minority students have a variety of English language skills evaluated by ESOL personnel when they enter and, thereafter, as needed or requested. There is a different battery of tests utilized for the elementary and secondary level students. These tests determine entry and placement level in the ESOL program and when a student can exit the ESOL program. ESOL instruction is provided K-12, by trained teachers, 93% of whom are certificated. Over the years, the County has either reimbursed teachers for course work to enhance their ESOL/Linguistics training or provided in-service workshops. Currently, a graduate course in Methods of Teaching ESOL is being offered in the County at no charge to ESOL teachers. Curriculum guides for structured sequential English instruction for all levels are developed, updated and in-serviced in a timely fashion.

In addition to providing ESOL instruction, the ESOL staff also provides in-service to classroom teachers and administrators in content area, on cross cultural information, and on techniques and materials for helping the Limited English Proficient (LEP) student in the classroom. ESOL staff, which includes a Home-School Visitor, has an ongoing dialogue with parents and ethnic organizations to help them understand and participate in our schools and communities. We have reached out to community personnel, such as County police and doctors, to provide insight into the cultural differences of the people we all serve.

For the first decade, the ESOL program was funded exclusively by County funds. The major portion of funding is still provided by the County with varied grants from Transitional Refugee grants. This current year, for the first time, it was possible to submit a proposal for Title VII funds Public Law 98-511 under Section 721 Part 3; special alternative instructional programs for students of limited English proficiency. Our County submitted such a program and was successful in obtaining a grant to serve widely dispersed LEP students. It should be noted that under this present law, only 4% of total funds were allocated for special alternative instructional programs for LEP students. This very minimal percentage of funds would appear to signal to local Boards of Education that the U.S. Department of Education prefers one method of instruction over others; although to date, there has been no evidence that the method getting the greatest funding support provides a superior educational approach.

The charge to and responsibility of local Boards of Education is to determine educational policies, and to direct local staff to develop instructional programs to fulfill those policies. Encouraging a special instructional program by preferential funding runs counter to this basic charge. The many thousands of local school districts in the country have as many different populations with different characteristics and needs. In order to meet this diversity of need, we urge you to provide funding on a more equitable basis to all approaches of merit.

The English for Speakers of Others Languages (ESOL) approach for LEP students effectively equips our students to function in our schools both academically and with their peers. The students are not only in the mainstream, but are able to participate in the Prince George's County programs for the Talented and Gifted and in our special Science and Technology Programs. We feel very strongly that our ESOL approach provides the students we are serving with the most efficient, and rapid way of preparing them to understand, speak, read and write English. This is true in the classroom, in dealing with their peers, in dealing with the community and in dealing with society at large. We feel, therefore, that the Federal Government should recognize and provide more support for alternative approaches toward meeting the needs of our multi-ethnic limited English speaking student population. I therefore, strongly urge the passage of S. 2256.

If I can provide further information or answer any questions, please feel free to contact me. I would be pleased to meet with you or your staff at any time concerning this issue.

Sincerely,

JOHN A. MURPHY,
Superintendent of Schools.

Senator QUAYLE. Let me ask Mr. Mazzone if I have the right feeling for your concern. Would it be fair to say that your major concern if these caps were taken off is that most of the programs and most of the schools would put these students into an immersion-type situation, this "sink or swim" type thing, and not give them enough special attention?

Is that your main concern if these caps were to come off?

Mr. **Mazzone**. Well, I think I alluded to the point that I was making earlier, in terms of the delusion of the funds. That is, I cannot predict how the school districts are going to go in terms of precisely if the legislation passed, but I have got to guess that a substantial number of districts, for a number of different reasons, would opt out of the transitional mode, and if the choice is given to the district itself, and this may not be the right thing in terms of the children involved.

At the hearings that we had in our State recently on this proposed option approach, I remember very distinctly, one of the superintendents spoke out and said very clearly that he would not trust local districts to do what they have to do. And I think in a way that might be an answer to your question.

Senator **Quayle**. So it is basically that you just do not trust the local districts to do what they say that they will do, and that is to continue a commitment to bilingual education, but they would like to have the option on which teaching method to use.

Mr. **Mazzone**. Yes.

Senator **Quayle**. But you are basically saying that they would not do that, and that they cannot really be trusted.

Mr. **Mazzone**. I do not think it is purely an educational issue. It is a political one, too, because there is a lot of strong antibilingual sentiment in the school districts that is on the part of school boards, some superintendents, school people, and in some quarters in the public. And I think for that alone that the rights of children that need this treatment and the rights of parents might be violated.

Senator **Quayle**. Let me ask the other panelists if they tend to agree that there just is not that commitment at the local level to bilingual education to continue it and if they would, that they might just all be in this sort of sink or swim type of program. Do you feel that the real commitment to bilingual education is not there, and therefore, it ought to be fairly well-controlled from the Federal Government to make sure that the bilingual education and the transitional bilingual education continues.

Yes, Dr. Porter.

Dr. **Porter**. May I offer an opinion, please. I believe the real word is the mandate and the enforcement of the necessity for special programs.

Now, it is up to the local districts to see that they provide the kind of program that the families in that community want, and I believe Ms. Wang has mentioned that in their district, the Chinese community very strongly wants a particular kind of programs they want to support the native language in their weekend schools.

Another community may say we want the public school system to give us a bilingual program that supports our language within the school system.

It is up to the Federal and State government to see that this mandate is enforced, but not necessarily to say which type of program—just to see that students are not left to sink or swim is the important mandate. And I believe that exists under the law and under the Supreme Court decision.

Senator **Quayle**. Ms. Wang?

Ms. **Wang**. Just to use myself as an illustration, I think perhaps the structured immersion would be the better way for teaching these children who are not fluent in their native language. Total immersion is how I acquired the language. I think that I can speak for the Chinese parents. They do want their children to be having a dominant language to be able to fully participate in this society, not only to be stereotyped, "Oh, you are only good for math," or, "You are only good as a scientist; you cannot do this." No. This is the sentiment, and I can say that English is the key to be successful. And if you cannot make yourself understood under any kind of circumstances, then it does not matter how intelligent you are; you will not be able to mainstream, so to speak. And yet the cultural pride is tremendous. And we have done it, and we like to let the committee and the rest of the people in this room know.

So I think structured immersion is the way I would go.

Senator **Quayle**. Ms. Falk, do you have a comment on this?

Ms. **Falk**. Yes. I would like to say a word for educators and for school boards. I have been an educator for 30 years. I have been exposed to systems in Pennsylvania and in New York, as well as in Maryland. I have yet to find an educator who would reject a method of teaching that works. If bilingual is working in that system, I cannot imagine that a school board would say, because of anything that happens in legislation, "We are not going to use it."

I cannot imagine that, given a choice for what will work best, that the educators are going to choose something that does not work.

Mr. **Mazzone**. May I add one more comment, sir?

Senator **Quayle**. Certainly.

Mr. **Mazzone**. I just want to point out that title VII is not a mandated program. It is a discretionary program. When we come to a State such as Massachusetts, the mandate is protected inasmuch as the law would require that the district—and it protects the rights of children in this way—enroll a child in a program, inform the parents of such enrollment, and then allow the parent to decide whether they want their child in there or not.

That is very, very critical. I will leave it at that.

Senator **Quayle**. Ladies and gentlemen, thank you very much for your testimony.

Our second panel today: Ms. Trujillo, Mr. Moran, Dr. Melendez, Mr. Yzaguirre, and Ms. Cantu.

Our first witness is Ms. Virginia Trujillo, a member of the New Mexico State Board of Education, who will be the spokesperson for the National Association of State Boards of Education here in Washington.

Ms. Trujillo, welcome. Please proceed.

STATEMENT OF VIRGINIA M. TRUJILLO, MEMBER, NEW MEXICO STATE BOARD OF EDUCATION, AND SPOKESPERSON FOR NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION, WASHINGTON, DC; OSCAR MORAN, NATIONAL PRESIDENT, LEAGUE OF UNITED LATIN AMERICAN CITIZENS, WASHINGTON, DC; DR. SARAH E. MELENDEZ, ASSOCIATE DIRECTOR, OFFICE OF MINORITY CONCERNS, AMERICAN COUNCIL ON EDUCATION, AND SPOKESPERSON FOR AND PAST PRESIDENT OF NATIONAL ASSOCIATION OF BILINGUAL EDUCATION, WASHINGTON, DC; RAUL YZAGUIRRE, PRESIDENT, NATIONAL COUNCIL OF LA RAZA, WASHINGTON, DC; AND NORMA V. CANTU, NATIONAL EDUCATION DIRECTOR, MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND, INC., WASHINGTON, DC

Ms. **Trujillo**. Thank you.

I appreciate you pronouncing my name correctly. Many times, people do not.

Senator **Quayle**. Good.

Ms. **Trujillo**. Good morning, Mr. Chairman and members of the committee. My name is Virginia Trujillo. I am a member of the State board of education in New Mexico and a member of the governmental affairs committee of the National Association of State Boards of Education.

NASBE is a private nonprofit organization representing over 600 State board members from 47 States, 5 territories, and the District of Columbia. We are the Nation's highest-ranking citizen trustees for public education.

On behalf of NASBE and the board of directors, I would like to thank you for allowing me to speak this morning.

Mr. Chairman, NASBE has long supported the concept of flexibility in the bilingual education program. This particular bill, which proposes to eliminate the 4-percent cap on the amount of Federal funds that can be used for special alternative instructional programs for students who are limited in English proficiency expands the concept of discretion and flexibility, and the NASBE board of directors has endorsed this concept of the legislation.

The need to expand the teaching methodology for bilingual students represents an awareness by Congress that immigration to the United States from all over the world is at an all-time high and that an ever-increasing number of limited English proficient students are entering our Nation's schools. In some instances, it is virtually impossible to provide transitional bilingual education for all students because of the large number of children from varied languages and cultural backgrounds.

In Chicago alone, for example, the 90,000 students from non-English-speaking backgrounds speak 139 languages.

The 1984 bilingual education amendments were an initial attempt to address problems just such as this. Members of Congress recognized tbat in a time of fiscal restraint, Federal dollars had to be combined with State and local funding to ensure maximum results in bilingual education programs. At the same time, they recognized that local education agencies needed some discretion and flexibility in serving language minority children.

State and local districts demonstrated their commitment to the education of these children by providing the vast majority of dollars that support the program. Congress appropriated $139.1 million for bilingual education in fiscal year 1986 before the first round of Gramm-Rudman-Hollings cuts; however, the amount of Federal funding for the program represents only 18 percent of the total amount of funds spent on bilingual education under title VII.

Local support amounts to approximately 42 percent, and States contribute approximately 36 percent of the total funding.

State and local agencies are spending a significant amount of money on various methods of bilingual instruction. They are trying to obtain the most effective results possible, and they are using a variety of approaches to achieve those results.

It is our strong opinion that it would be appropriate for Congress to recognize the achievements that are being made in teaching language minority youngsters and allow local jurisdictions greater discretion in the use of Federal funds. They are supporting the majority of the financial burden for the programs, they are closer to the problem, and they are able to assess what works best for the students in their own schools.

In recent years, there has been a major dispute over the most effective way to teach these students. It is NASBE's belief that there is not one single method that works for all children. For some children, transitional bilingual education works best. For others, the ESL Program is a more successful approach.

We would like to make it clear, Mr. Chairmam, that our support for alternative instructional methods should not be interpreted as an endorsement for reduced Federal funding for bilingual education or a return to the sink or swim version of immersion without adequate support services. Recent studies have indicated that children who are part of immersion programs have not done as well as others in bilingual education programs.

We must be careful not to allow our own personal experiences and feelings stand in the way of maximizing the opportunities of every limited and non-English-speaking student with a variety of teaching methods.

All too frequently, someone will tell us that they come to this country unable to speak English, they went to a school where few if any spoke their language and they were able to overcome their language barrier and succeed in school.

We hear these stories because they are the success stories. Individuals who were unable to assimilate and dropped out of school are probably not the people who are now in the position to tell their stories.

Moreover, the prospect of job opportunities has changed dramatically. In the past, it was possible to obtain employment in factories and other industries where an immediate command of the language was not necessary.

Advances in technology have changed this. It is now from a manufacturing-based to a service-based society, and it will soon be impossible for individuals who are not proficient in English to obtain even the most basic entry-level job opportunities.

It is because of the need for increased skills in the workplace that the Federal Government must continue and when possible to expand its commitment for limited and non-English-speaking students.

Although we would like to see this legislation enacted into law, we are sensitive to the concerns expressed by some that expanding alternative instructional methods is the first step toward dismantling the Federal Bilingual Education Program. In a time of shrinking Federal dollars and enormous budget deficits, it could be argued that fragmenting a program that is already underfunded will result in a divided constituency.

We would therefore suggest, Mr. Chairman—we have a suggestion here—that in order to allay some of these concerns that eliminating the 4-percent cap be gradually phased in over a 3-year period in the following manner. The cap could be increased to 50 percent the first year, 75 percent the second, and during the third year it could be eliminated completely. This approach would give school districts an opportunity to test a variety of approaches serving the LEP students and give Congress the opportunity to monitor the program and evaluate how the new approaches are working.

Research findings in effective teaching methods could be disseminated among the States, and the Department of Education could highlight exemplary programs.

I will stop there and the rest of the testimony will go in.

Senator QUAYLE. Your entire statement will be included in the record.

Ms. TRUJILLO. I would, though, like to read a poem that a student wrote—and I brought copies for you, Senator. It is a short poem, and I would like for you to listen to what this girl had to say. And I interpreted it from Spanish into English.

"Sometimes" is the name of the poem.

Sometimes I just don't know what to do; whether to read or to write. I begin to think that I can't do either of the two things because I don't know English anyway.
I only ask God with all my heart to help me. I can only ask him, because he can really understand me.
Sometimes I get to thinking, and I come to the conclusion that maybe God does not know how to speak English. But he does not need to since he lives in Mexico.
I have only one thing to say and it is like advice; that those who live in Mexico never leave. It is difficult to live in a country when everyone speaks English and nobody understands.
I only ask one thing, that with effort and with conscientiousness, that some day, I might speak and understand English.

And I will have a copy for all of the members.

Senator QUAYLE. Well, thank you very much, and you tell her that we certainly will try to see that her wish and dream comes true here in America.

[The prepared statement of Ms. Trujillo follows:]

TESTIMONY
ON
THE BILINGUAL EDUCATION ACT AMENDMENTS OF 1986

BY

VIRGINIA TRUJILLO

FOR

THE NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION

BEFORE THE SUBCOMMITTEE ON
EDUCATION, ARTS, AND HUMANITIES

JUNE 5, 1986

Good morning Mr. Chairman, members of the Committee. My name is Virginia Trujillo. I am a member of the State Board of Education in New Mexico and a member of the Governmental Affairs Committee of the National Association of State Boards of Education.

NASBE is a private nonprofit organization representing over 600 state board members from 47 states 5 territories and the District of Columbia. We are the nation's highest ranking citizen trustees for public education. On behalf of the Board of Directors and all NASBE members, I would like to thank you for inviting me here this morning. We appreciate having the opportunity to testify and to share with you our views on bilingual education and S 2256.

State board members are very committed to the cooperative relationship that exists between the local, state and federal government in the area of public education. We believe strongly that ~~the~~ federal government has an important role to play in education and when federal policies, such as those which affect immigration, have a significant impact on schools, we are made even more aware of the need for federal education programs that target special populations. For that reason, we are especially interested in S. 2256 and the changes being recommended in the Bilingual Education Act.

Mr. Chairman, NASBE has long supported the concept of flexibility in the bilingual education program. This particular bill, which proposes to eliminate the 4% cap on the amount of federal funds that can be used for special alternative instructional programs for students who are limited in English proficiency, expands the concept of discretion and flexibility and the NASBE Board of Directors has endorsed the concept of this legislation.

The need to expand the teaching methodology for bilingual students represents an awareness by Congress that immigration to the United States from all over the world is at an all time high and that an ever increasing number of Limited English Proficient Students are entering our nation's schools. In some instances it is virtually impossible to provide transitional bilingual education for all students because of the large number of children from varied language and cultural backgrounds. In Chicago alone, the 90,000 students from non-English speaking backgrounds speak 139 languages.

The 1984 bilingual education amendments were an initial attempt to address problems just such as this. Members of Congress recognized that in a time of fiscal restraint, federal dollars had to be combined with state and local funding to ensure a maximum results in education programs. At the same time they recognized that Local Education Agencies needed some discretion and flexibility in serving language minority children.

State and local districts demonstrated their commitment to the education of these children by providing the vast majority of dollars that support the program. Congress appropriated $139.1 million for bilingual education in FY 1986 before the first round of Gramm-Rudman-Hollings cuts; however, the amount of federal funding for the program represents only 18% of the total amount of funds spent on bilingual education under Title VII. Local support amounts to approximately 42% and states contribute approximately 36% of the total funding.

State and local education agencies are spending a significant amount of money on various methods of bilingual instruction. They are trying to obtain the most effective results possible and they are using a variety of approaches to achieve those results. It is our strong opinion, that it would be appropriate for Congress to recognize the achievements that are being made in teaching language minority youngsters and allow local jurisdictions greater discretion in the use of federal funds. They are supporting the majority of the financial burden for the programs, they are closer to the problem and they are able to assess what works best for the students in their own schools.

In recent years, there has been a major dispute over the most effective way to teach limited and non-English speaking students. It is NASBE's belief that there is not one single method that works for all children. For some children transitional bilingual education works best. For others, English as a Second Language is a more successful approach.

We would like to make it clear, Mr. Chairman, that our support for alternative instructional methods should not be interpreted as an endorsement for reduced federal funding for bilingual education or a return to the sink or swim version of immersion without adequate support services. Recent studies have indicated that children who are part of immersion programs have not done as well as students in other bilingual education programs. We must be careful not to allow our own personal experiences and feelings stand in the way of maximizing the opportunities of every limited and non-English speaking student with a variety of teaching methods.

All too frequently, someone will tell us that they came to this country unable to speak English, they went to a school where few, if any, spoke their language and they were able to overcome their langauge barrier and succeed in school. We hear these stories because they are success stories. Individuals who were unable to assimilate and dropped out of school are probably not the people who are in a position to tell their stories.

Moreover, the prospect of job opportunities has changed dramatically in recent years. In the past it was possible to obtain employment in factories and other industries where an immediate command of the English language was not always necessary. Advances in technology are rapidly altering our society from a manufacturing-based to a service-based society and it will soon be impossible for individuals who are not proficient in English to obtain even the most basic entry level employment opportunities.

It is because of the need for increased skills in the work place that the federal government must continue, and when possible expand, its commitment to services for limited and non-English speaking students. When and if this legislation is passed, we hope to see an increase in the number of students served because schools will be able to offer a variety of teaching techniques and use methods that do not require teachers for every child's native tongue.

Although we would like to see this legislation enacted into law, we are sensitive to the concerns expressed by some that expanding alternative instructional methods is the first step towards dismantling the federal bilingual education program. In a time of shrinking federal dollars and enormous budget deficits, it could be argued that fragmenting a program that is already under funded will result in a divided constituency that is unable to generate adequate support for the program.

We would therefore suggest that in order to allay some of those concerns, that eliminating the 4% cap be gradually phased in over a three year period in the following manner. The cap could be increased to 50% the first year, 75% the second and during the third year it could be eliminated completely. This approach would give school districts an opportunity to test a variety of approaches to serving LEP students and give Congress the opportunity to monitor the program and evaluate how the new approaches are working. Research findings in effective teaching methods could be disseminated among the states and the Department of Education could highlight exemplary programs.

We realize that this differs somewhat from the provisions of S. 2256, Mr. Chairman, but we sincerely believe that it is a workable compromise that could increase support for flexibility in the bilingual education program and one that is in keeping with the spirit and intent of the bill.

In spite of the millions of dollars appropriated at the local, state and federal level of government for bilingual education, only one third of the eligible youngsters are served in the program. It is clear that the federal government will not significantly increase funding for bilingual education and we must therefore get the most out of every federal dollar. Eliminating the restrictions on the bilingual education program is an effective way of doing this.

I would like to commend you, Senator Quayle, and the members of the subcommittee for your interest in this issue. Our entire nation has a stake in education of all children and we must do our best to ensure that opportunity exits for every student. State board members are ready to work with you in any way possible to see this legislation enacted into law and we hope you will call on us for help.

Again, thank you for including us in this morning's hearing.

- A VECES -

A veces no sé qué hacer, si a escribir o
a leer. Pero me pongo a pensar y ninguna de
las dos cosas puedo hacer puesto que el inglés
de ninguna manera lo sé. Solo le pido a Dios
que me ayude con todo mi corazón. Pues solo a
El le pido, pues El sí me puede entender.

A veces me pongo a pensar y pensar y llego a
la conclusión: Sí, es que tal vez Dios no
sepa hablar ingles. Pero El no lo necesita
pues El en México vive. Solo me resta
decir una sola cosa que es como un consejo:
que los que viven en México de allí nunca
se retiren. Porque es dificil vivir en un
país donde todos hablan inglés y nadie le
puede entender. Solo le pido una cosa;
que con esfuerzo y conciencia, algun día,
lo llege a hablar y a entender.

18 de octubre, 1985
Imelda Loera
Highland High School
Title VII Program
Albuquerque Public Schools
Albuquerque, New Mexico

Sometimes

Sometimes I just don't know what to do;
whether to write or to read. I begin to think
that I can't do either of the two things because I
don't know English anyway. I only ask God with
all my heart to help me. I can only ask Him, because
He really can understand me.

Sometimes I get to thinking and I come to the
conclusion, that maybe God does not know how to speak
English. But He does not need to since He lives in
Mexico. I only have one thing to say and it is like
advice; that those people who live in Mexico never
leave. It is difficult to live in a country where
everyone speaks English and nobody understands. I only
ask one thing, that with effort and with conscientiousness,
that some day, I might speak and understand (English).

Senator QUAYLE. Mr. Oscar Moran, national president, League of United Latin American Citizens, in Washington.

Mr. Moran?

Mr. MORAN. Thank you, Mr. Chairman and members of the subcommittee, for the opportunity to speak on behalf of the League of United Latin American Citizens [LULAC].

For the record, my name is Oscar Moran, and I am national president of the League of United Latin American Citizens, this Nation's oldest and largest Hispanic membership organization, with members and councils throughout 43 States, including the great State of Indiana.

Mr. Chairman, LULAC has advocated on behalf of Hispanic Americans for nearly 57 years, concentrating particularly on equal rights and educational and employment opportunities for Hispanics. Indeed, our Little School of 400, launched in the 1950's to equip Hispanic children with a basic arsenal of English words in preparation for school, was the seedling that later started the Federal Head Start Program of the sixties.

Mr. Chairman, because my full statement will be entered into the hearing record, I would like to move directly to specific provisions in the bill, beginning with the statement in section 2, paragraph 4, which states that, "Regardless of the method of instruction, programs which serve limited English proficient students have the equally important goals of developing academic achievement and English proficiency."

While LULAC has no disagreement at all with this statement, we question its inclusion, because developing academic achievement has always been a stated goal of the original law and does not need to be reiterated here.

The major objective of bilingual education programs is to extend to national origin minority students access to equal educational opportunity.

The Bilingual Education Act of the Education Amendments of 1984, as reauthorized by Congress, clearly mandates that bilingual education programs be designed to accomplish two major goals: One, enable students to achieve full competency in English; and two, to allow a child to meet grade promotion and graduation standards.

Additionally, a third goal of the act recognized that both limited English proficient children and children whose primary language is English can benefit from bilingual education programs and that such programs help develop our national linguistic resources.

For this reason, Congress stipulated that classes of transitional bilingual education may include up to 40 percent non-LEP students. I must ask, Mr. Chairman, with respect to this last point, does anyone here disagree that the classroom integration of both LEP students and non-LEP children is healthy?

I cannot stress enough the importance of developing our linguistic resources, not only for trade in the Pacific Rim countries, but also for commerce and economic development opportunities with respect to the President's own Caribbean Basin Initiative.

Bilingual resources already in place in our Nation must be utilized.

We are also concerned about section 3, paragraph 1 of the bill, which would eliminate the 4 percent cap on funding for alternative programs—that is those programs which do not use the student's Native language to help him or her learn English.

Mr. Chairman, I do not think we can forget that all programs, alternative or established, are there for the benefit of our children. We are concerned that "added flexibility" could be used to pull away that safety net that transitional bilingual education program provided children of limited English proficiency.

Section 3, paragraph 1 of Senate bill 2256 would also strike out the so-called escalator clause contained in section 702(b) of the original law, which directs the Secretary to reserve 50 percent of sums appropriated over $140 million for special alternative programs.

LULAC feels that the Bilingual Education Act already provides for flexibility, and that this clause stipulates increased flexibility and increased appropriations for alternative programs. Why not activate this clause with an additional, and certainly much needed appropriation for the critical needs of our LEP children?

LULAC fully recognizes that this is a year of across-the-board fiscal authority, and that budget considerations and tax reform legislation are aimed at correcting the imbalances in our system. But I would remind the chairman that our children are the most valuable resource that this country has, and if we have had an investment in this country since our origins that has consistently paid dividends, it has been our investment in education.

If we do not address the special needs of limited English proficient students, or we attempt to limit the accessibility to equal education, we can only invite future adversity and hardship for those children, who will not be able to secure adequate or gainful employment, and for society as a whole, which must in the long run provide social and welfare services to undereducated and subsequently illtrained generations to come.

Finally, paragraph 2 of section 3 of S. 2256 would strike out of the Act the mandate that at least 75 percent of funds go to programs of transitional bilingual education. We oppose this provision in light of the growing body of research which indicates that transitional bilingual education is the best possible approach to the teaching of English to LEP students.

Mr. Chairman, LULAC will continue to work for the educational rights of language minority students, and we will look for ways to achieve that. But we need the assistance of the Federal Government. Now is not a time to be experimenting with proven programs.

We look forward as an organization to the continuation of mutual exchange of ideas and recommendations between the Department of Education and LULAC, which began late last year to directly voice our concerns to the Secretary of Education, William Bennett. At that time, we were assured that the Department of Education and this administration had the best interests of limited English proficient children at heart.

We will be watching that commitment and stand ready to work with you and the Department of Education to ensure that our limited English proficient children obtain the educational rights to which they are entitled.

I would just like to say that several weeks ago in this country, we celebrated throughout this country Memorial Day, and throughout this country were many, many pictures and visions of names on the various statues and monuments, including many, many Spanish surnames which were on those monuments—the names of young people in this country who have fallen for their country, who have given their lives.

I would submit, Senator, Mr. Chairman, that in an abstract manner throughout Hispanic America today, there are many, many monuments to those other Hispanic-surname young people who have already fallen by the wayside due to lack of adequate educational opportunities, who will forever forfeit their economic lives and who tragically represent a tragic and wasted resource.

We must not continue to erect those types of monuments in the barrios of Hispanic America. We must continue to seek the best alternatives, the best solutions to education.

For the record, I would like to submit to you today, Mr. Chairman, a copy of our newsletter, "LULAC Today", which not only spotlights the philosophy of English-plus, but celebrates bilingualism and the valuable contribution that bilingual individuals make to our society.

I thank you very much for the opportunity to come before you today.

Senator QUAYLE. Thank you very much, Mr. Moran.

[The prepared statement of Mr. Moran follows:]

STATEMENT OF OSCAR MORAN, NATIONAL PRESIDENT

LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC)

On S. 2256

Before the Subcommittee on Education, Arts and Humanities

United States Senate

Thursday, June 5, 1986

Thank you Mr. Chairman, and Members of the Subcommittee for the opportunity to speak on behalf of the League of United Latin American Citizens (LULAC).

For the record, my name is Oscar Moran and I am the National President of the League of United Latin American Citizens (LULAC), this nation's oldest and largest Hispanic membership organization with over 100,000 members and councils in 43 states, including the great state of Indiana. I am appearing before you today to address our concerns about Senate Bill 2256, a bill to amend the 1984 Bilingual Education Act.

Mr. Chairman, LULAC has advocated on behalf of Hispanic-Americans for nearly 57 years, concentrating particularly on equal rights and educational and employment opportunities for our people. Indeed, our "Little School of 400", launched in the fifties to equip Hispanic children with a basic arsenal of English words in preparation for school, was the "seedling" that later sprouted the federal Head Start Program of the sixties.

Additionally, LULAC and the LULAC National Educational Service Centers, Inc. (LNESC) in 1975 established the LULAC National Scholarship Fund. Today, through a unique local and national matching concept, these funds provide valuable scholarships to deserving individuals. LNESC is currently the largest national Hispanic higher education agency in the country. Most recently, LULAC has launched a national campaign to reduce the high drop-out rates of Hispanic high school students.

In 1984 LULAC, together with other Hispanic organizations concerned with education, was instrumental in securing a bi-partisan compromise to the Bilingual Education Act of the Education Amendments of 1984. The new law contained provisions which allowed school districts to use alternative instructional approaches to teach English to limited English proficient (LEP) pupils. These alternative approaches included English as a Second Language (ESL) or structured English immersion.

The rationale for including special programs, which

LULAC supported, was (1) the difficulty of conducting bilingual education programs in districts containing only small numbers of LEP students with a common native language; (2) lack of qualified bilingual education teachers or teacher's aides; and (3) a particular school district's past or present experience in attempting to establish bilingual programs.[1]

At the time of the reauthorization, LULAC and other Hispanic organizations encouraged Congress to allow room for creativity in exploring alternative methods in teaching English to limited English proficient children. Congress agreed, but stipulated that a maximum ceiling of 4 percent of the appropriation ($140,000,000) would be used for special alternative programs because it recognized that the educational needs of LEP students were not being met by all-English programs and that a "primary means by which a child learns is through the use of such child's native language and cultural heritage."[2]

Nevertheless, Congress also directed that the Act provide a special mechanism for increasing financial support for these alternative instructional programs,[3] whereby 50 percent of any new funds appropriated for Title VII would be reserved for these programs.

Mr. Chairman, LULAC felt that this compromise was important because it allowed for a review of a variety of methods of instruction of the English language. Additionally, we believed that creativity in designing instructional approaches had not been exhausted. However, we also argued that a cap on funding for special alternative programs would ensure that adequate monies would be earmarked for transitional bilingual education, which in our judgment and experience, remains the best possible approach to meeting the critical educational needs of our growing LEP population.

Mr. Chairman, our limited English Proficient students, and most especially, those who are Spanish-speaking, suffer from disastrously high drop-out rates. Forty percent of all Hispanic students who leave school do so before reaching the 10th grade and 25 percent of all Hispanic-Americans who enter high school are over age. Few Hispanic students who drop out ever return and even fewer ever enter college.[4]

The drop-out rate among Puerto Rican students in New York City alone is nearly 80 percent.[5] This shocking statistic is compounded by the fact that the New York City public-school system in 1985 provided only 56 percent of its nearly 114,000 LEP students with bilingual services or extra English instruction.[6]

Additionally, among Hispanic-American students in Chicago, the rate is 70 percent. In Los Angeles, it is 50 percent.[7]

In Dallas and Houston, students drop out at a rate of approximately 40 percent. And, in Colorado, our LNESC Centers report an estimated rate of 50 to 60 percent.

Mr. Chairman, the numbers are disgraceful and are born out by the December 1985 survey conducted by the National Assessment of Educational Progress (NAEP) which found that language-minority students scored substantially below the national average in reading. Equally disturbing: more than half of the NAEP survey subjects were not enrolled in either bilingual or English-as-a-second-language (ESL) classes. And out of all fourth-grade language minority children, almost three out of four were not receiving bilingual or ESL instruction at all.[8]

I would now like to address specific provisions of S. 2256, beginning with the statement in Section 2, Paragraph 4, which states "... that, regardless of the method of instruction, programs which serve limited English proficient students have the equally important goals of developing academic achievement and English proficiency".

While we have no disagreement at all with this statement, we question its inclusion because "developing academic achievement" has always been a stated goal of the original law, and does not need to be reiterated here. The major objective of bilingual education programs is to extend to national origin minority students access to equal educational opportunity.

The Bilingual Education Act of the Education Amendments of 1984, as reauthorized by Congress, clearly mandates that bilingual education programs be designed to accomplish two major goals:

(1) "to enable students to achieve full competency in English," and

(2) "to allow a child to meet grade promotion and graduation standards."

Additionally, a third goal of the Act recognized that "both limited English proficient children and children whose primary language is English can benefit from bilingual education programs, and that such programs help develop our national linguistic resources."[9] For this reason, Congress stipulated that classes of transitional bilingual education may include up to 40 percent non-LEP students. And I must ask, Mr. Chairman, with respect to this last point, does anyone here disagree that the classroom integration of both LEP and non-LEP children is healthy? I cannot stress enough the importance of developing our linguistic resources, not only for trade and tourism in the Pacific rim countries but also for commerce and economic development opportunities with respect to the President's own Caribbean Basin Initiative. Bilingual resources already in place in our nation must be utilized.

Section 3, Paragraph 1 of S. 2256 would eliminate the 4 percent cap on funding for alternative programs, that is, those programs which do not use the student's native language to help him or her learn English.

Mr. Chairman, let us not forget that these programs -- alternative or established -- are there for the benefit of our children; we are concerned that "added" flexibility" could be used to pull away the safety net that transitional bilingual education programs provide limited English proficient children.

Have these alternative programs been adequately evaluated since funding grants arrived, especially since SAIP funding grants only arrived last September 1985? Has there even been enough time for evaluation? Also, where is the data indicating that these alternative programs are just as effective in teaching English as transitional bilingual education programs?

Indeed, we have serious reservations about the use of structured English immersion in light of the recent four-year longitudinal study by S.R.A. Technologies, Inc. which reported that LEP students in bilingual programs consistently outperformed students in immersion programs in reading, language-arts, and mathematics tests conducted in both English and Spanish[10].

Additionally, the report found poor English-language performance among immersion students -- who incidentally had received the most English-language instruction -- while "the larger the native-language component of their schooling, the better the students performed in English."[11]

Section 3, Paragraph 1 of S. 2256 would also strike out the so-called "escalator clause" contained in Section 702(b) of the original law, which states:

> "From the sums appropriated under paragraph (1) for any fiscal year in excess of $140,000,000, the Secretary shall reserve 50 percent for special alternative instructional programs and related activities pursuant to this paragraph shall not exceed 10 percent of the funds appropriated under paragraph (1)."[12]

LULAC feels that the Bilingual Education Act already provides for flexibility in that this clause stipulates increased flexibility and increased appropriations for alternative programs. Why not activate this clause with an additional and certainly much-needed appropriation for the critical needs of our LEP children? LULAC fully recognizes that this is a year of across-the-board fiscal austerity and that budget considerations and tax reform legislation are aimed at correcting the imbalances in our system.

But, Mr. Chairman, our children are our most valuable resource, and if we don't address the special needs of limited English proficient students, we only invite future hardship for these children, who won't be able to secure adequate or gainful employment, and for society as a whole, which must in the long run provide social and welfare services to undereducated and subsequently ill-trained generations to come.

Indeed, as the Carnegie Forum on Education and the Economy reports in its study on the teaching profession, America cannot succeed if only a portion of our schoolchildren succeed:[13]

> "By the year 2000, one out of every three Americans will be a member of a minority group. At present one out of four American children is born into poverty, and the rate is increasing. While it was once possible for people to succeed in this society if they were simply willing to work hard, it is increasingly difficult for the poorly educated to find jobs. A growing number of permanently unemployed people seriously strains our social fabric. A heavily technology-based economy will be unable to invest vast sums to maintain people who cannot contribute to the nation's productivity. American business already spends billions of dollars a year retraining people who arrive at the workplace with inadequate education."[14]

Mr. Chairman, the problem is serious, not the least for the reason that approximately two out of three of those minority children in the year 2000 will very likely be limited English proficient. And for Hispanic-Americans, the spector of an undereducated and underemployed future generation is grim, because we will become the majority of the school population in many cities and will constitute an equally rising percentage of the population in many other parts of the nation.[15]

And Mr. Chairman, as the National Commission on Secondary Schooling reported in their 1984 study on the condition of Hispanic education, "the future and prosperity of these communities and the United States itself will be correspondingly related to the development and progress of their Hispanic families."[16]

Additionally Mr. Chairman, we are concerned that funding to support all-English instructional programs would come from funds earmarked for transitional bilingual programs -- programs that are already seriously underfunded relative to need. For example:

- Only one in three school districts seeking assistance for transitional bilingual education programs received funds.[17]
- Less than one in three school districts seeking assistance for bilingual education programs for special populations, that is preschool, handicapped or gifted or talented children, received funding.[18]
- Less than one in five school districts seeking support for Developmental Bilingual Education Programs received funding in fiscal year 1985, and lastly, less than one in ten applicants seeking to operate Family English Literacy Programs -- which, by the way, are all-English programs and do not utilize students' native language -- received funds.[19]

Paragraph 2 of Section 3 of S. 2256 would strike out of the Act the mandate that at least 75 percent of funds go to programs of transitional bilingual education.

We oppose this provision in light of the growing body of research indicating that transitional bilingual education is the best possible approach to the teaching of English to LEP students. New research by psycholinguist Kenji Hakuta even suggests that children who grow up speaking two languages display superior cognitive abilities and are more sophisticated than other children in their understanding of language.[20]

Mr. Chairman, LULAC has in the past advocated vigorously on behalf of the educational needs of our children. But more than advocacy, we have acted to provide services to our community. For example, we have 12 national educational service centers around the country, 50 employment and training service centers nationally, and our national scholarship fund, in conjunction with the educational service centers, has assisted almost 10 percent the 1.1 million Hispanic students who have gone on to college. Mr. Chairman, we practice what we preach. We will continue to work for the educational rights of language minority students and will look for ways to achieve them. But volunteer associations and community-based groups cannot do it by themselves. They need the assistance of the federal government.

We look forward to a continuation of the mutual exchange of ideas and recommendations between the Department of Education and LULAC, begun late last year when we voiced our concerns to Secretary of Education William Bennett. At that time, we were assured that the Department of Education and the Administration had the best interests of limited English proficient children at heart.

We will be watching that commitment and stand ready to work with you to ensure that our limited English proficient children obtain the educational rights to which they are entitled.

Thank you very much for the opportunity to come before you today.

FOOTNOTES

[1] The Bilingual Education Act of 1984; Financial Assistance for Bilingual Education Programs, Part A, National Clearinghouse for Bilingual Education, 1985, page 3.

[2] From the Text of the Bilingual Education Act (Title II of Public Law 98-511), Section 702.(a) Paragraph 5.

[3] Section 702.(b)(1) Paragraph 3.

[4] National Commission on Secondary Schooling (Hispanic Policy Development Project), "Make Something Happen": Hispanics and Urban High School Reform, Volume I, 1984, page 10.

[5] Ibid., page 23.

[6] Education Week, "Watchdog Panel Says City Schools Remiss on Bilingual Education", November 6, 1985, page 3.

[7] "Make Something Happen", Volume 1, page 23.

[8] "The Educational Progress of Language Minority Students: Findings from the 1983-84 NAEP Reading Survey", National Assessment of Educational Progress/Educational Testing Service, Princeton, New Jersey, page 32. (See also Education Daily, "More Help Needed for Students from non-English-speaking Families, Says Survey", January 3, 1986, page 3.)

[9] The Bilingual Education Act, Section 702.(a) Paragraph 11.

[10] Education Week, "Immersion Method Is Faring Poorly in Bilingual Study", April 23, 1986, page 1.

[11] Ibid., page 1.

[12] The Bilingual Education Act, Section 702.(b)(1) Paragraph 3.

[13] Carnegie Forum on Education and the Economy, "A Nation Prepared: Teachers for the 21st Century," the Report of the Task Force on Teaching as a Profession, May 1986, page 4.

[14] Ibid., page 4.

[15] "Make Something Happen", Volume I, page 10.

[16] Ibid., page 10.

[17] National Council of La Raza, Action Alert, May 16, 1986, page 2.

[18] Ibid., page 2.

[19] Ibid., page 2.

[20] ~~New York~~ Times, August 25, 1985, "Bilingual Schooling Said to Give Intellectual Edge".

Senator QUAYLE. We are going to depart briefly. Senator Pell, who has had long interest in bilingual education, would like to make a statement at this time. He must go to the floor to comanage the Saudi arms package—I know he is a strong supporter of the President on selling the arms to Saudi Arabia, so I want to make sure he gets over there to support the President. [Laughter.]

Senator QUAYLE. Senator Pell.

Senator PELL. Usually, the Senator from Indiana is very accurate—but not quite.

I want to apologize to the witnesses and to the subcommittee, but I do have to be over on the floor before 11 o'clock.

I congratulate you, Mr. Chairman, our acting chairman of this subcommittee at this time, on organizing this hearing on S. 2256, the Bilingual Education Amendments of 1986.

I have strongly supported this act since its inception and have no reason to alter the strength of that support today. In fact, actually, the chairman of the subcommittee, Mr. Stafford, and I voted against Gramm-Rudman, the passage of which has resulted in a reduction of funds for this program.

I do, however, have two basic concerns with respect to provisions of the Act and with the way in which bilingual education programs function.

First, I very much believe that the focus of the act should remain upon bilingual instruction. Yet I am also of the mind that the act should be flexible anough to allow for other methods of instruction where that need can be demonstrated.

For instance, in a school district where there are many different languages or dialects spoken, it may well be that English as a second language or immersion instruction would better suit the educational needs of the students. A bilingual course in each dialect or language could prove to be excessively expensive and also educationally unsound.

I do not believe, though, that the current cap of 4 percent on other methods of instruction should be lifted altogether, as is proposed in S. 2256. Instead, I would very much hope that we might be able to compromise to agree to raise the cap to 20 or 25 percent. This, as I understand, would also be more in line with the number of applications that the Department of Education receives for grants that stress methods of instruction other than bilingual.

Second, I am also concerned that emphasis of this Act be to spur students to learn English as quickly as possible and that the instruction in that native language is done so that students will not fall behind their classmates while learning English. In this regard, I have long been concerned that some students in bilingual education may not be required to learn English as quickly as possible, and they do not complete the program soon enough.

I would be interested, therefore, in hearing from the witnesses—and I will not be here, but I will read the record—on the idea of a provision in Federal law that would require a student to exit from the bilingual program within a specific, shorter, period of time. I have in mind a period of 2 or 3 years, but I would be very much interested in knowing what the witnesses think in this regard.

I am committed to protecting the thrust of the underlying bilingual law. I am also equally committed to making sure that it is flexible enough to meet the needs of many different students. Most importantly, I am concerned that it not lose sight of its primary purpose, which is to spur students to learn English.

I do thank once again Senator Quayle for permitting me to make this statement at this time, and I wish him well.

Senator **Quayle**. Thank you very much, Senator Pell.

Our next witness is Dr. Sarah Melendez, who will be speaking for the National Association of Bilingual Education here in Washington.

Dr. Melendez, welcome.

Dr. **Melendez**. Thank you, Mr Chairman.

Mr. Chairman, members of the subcommittee, the National Association for Bilingual Education appreciates the opportunity to testify on S. 2256, a bill to amend ESEA title VII, the Bilingual Education Act.

I submit the full text of NABE's testimony for the record, and I will limit myself to highlighting what we see as the most important points. I would then like to share with the Members of the Subcommittee some of my personal experiences as a teacher, professor and administrator.

NABE fully supports section 2. We have always unequivocally been committed to the goals of academic achievement and English language proficiency for students of limited English proficiency. To that end, we assisted Members of Congress in developing the 1984 Bilingual Education Act which, for the first time, specifically requires that students receive the services necessary for them to meet promotion and graduation requirements.

Because of our concern that LEP students be afforded every opportunity to achieve academic excellence and English language proficiency, we vehemently oppose section 3. It is a prescription for disaster.

All arguments for flexibility are based on fallacies that have been disproved by the record. The Education Department's own study of immersion and bilingual programs shows that bilingual education is superior to monolingual education for LEP students in that particular study. NABE's full testimony details all the flexibility already present in bilingual education programs.

Academic achievement is impossible if instruction is unintelligible. I would like to challenge Secretary Bennett to study Japanese as a second language for 6 months or 1 year and then try to study philosophy, his discipline, in Japanese.

The requirement of some instruction in the native language is designed to and does guarantee academic achievement while students are learning English.

Now, I would like to share with you some of my experiences as an educator. I have taught at every level, from second grade through doctoral students. I have taught in a selfcontained monolingual classroom, bilingual classrooms, ESL, or English as-a second language classes for adults, and I have taught master's degree and doctoral students in education.

Mr. Chairman, I have seen students in maintenance bilingual education programs develop full bilingualism. I have seen that right here in Washington, by the way. I have seen students in transitional bilingual education programs learn English sufficiently to transfer to monolingual classes while making academic progress.

I have also seen that the students for whom the transition is the easiest are those students who are fully literate in their native language. This is especially true for adults.

I directed a program of ESL for adults at the University of Hartford in Connecticut. Without exception, the students who learned sufficient English to register for regular college classes in 1 year were those students who had highly developed literacy skills in Spanish.

Students who had had little formal schooling and consequently less developed proficiency in their native language required much more time to learn English and even more time to be able to pass the GED exam and function in a college class.

I also directed a remedial reading and math program in Bridgeport, CT. The students were from the fifth through eighth grades, with reading levels several years below their grade levels. Many of these students had had some ESL instruction, but no bilingual education.

Mr. Chairman, remediation is costlier than bilingual education in terms of dollars and in terms of the waste of money. Education delayed is education denied.

The last experience I would like to share with you, Mr. Chairman, is a very personal one. I came to this country from Puerto Rico at the age of seven. I had had 1 year of schooling and had learned to read Spanish very well. Spanish is much easier to read than English since it is much more phonetic.

When I arrived on the mainland, I learned to read English fairly quickly, without too much trauma, and moved right into the top reading group in each of my classes. I always tested very well on standardized tests of reading.

My brother and sister, who were younger than I, had not been to school in Puerto Rico and were never taught to read in Spanish. When they began school in New York City, they were taught to read English. Of course, they did not speak it or understand it very well, because at home we spoke Spanish.

My mother could not help us very much, because her own English was not very good, and there were no night classes available for adults in those days.

Mr. Chairman, my brother and sister were always a grade or two behind in reading and consequently did not do very well in any of the other subjects. They managed to graduate from high school, but never even dreamed of going on to college.

Of course, everyone—my mother, teachers, and even I—thought that I was the smart one in the family. My poor sister grew up thinking she was not very intelligent.

At about the age of 30, after years of expensive therapy, my sister decided that she was intelligent and that she was going to college. A couple of years ago, she received her B.S. in psychology from Queens College and earned mostly A's and B's throughout her college career. Today, I am convinced that she is the most intelligent of all three of us.

My brother is doing quite well in his own furniture finishing business. He, obviously, is much more intelligent than any of the tests that he took in English ever revealed.

We should not allow children to grow up thinking that they are stupid because they do not understand the language of instruction. We should not allow learning of everything else to stop until they are proficient in English.

These students are limited in their proficiency in English only, but most of them are not limited in any other way. They have good minds and a perfectly good language through which they can be learning everything else they will need for academic achievement and success in this society.

English may well be the most important thing they will need, but by no means the only one.

Thank you, Mr. Chairman.

Senator QUAYLE. Thank you, Dr. Melendez.

[The prepared statement of Dr. Melendez follows:]

NATIONAL ASSOCIATION
FOR BILINGUAL EDUCATION

Room 407 — 1201 16th Street N.W. — Washington, D.C. 20036 — (202) 822-7870

EXECUTIVE BOARD 1985-86

PRESIDENT
Gene T. Chávez, Ed.D.
Center for Multicultural Outreach
7401 Metcalf Avenue
Overland Park, KS 66204
(913) 722-0272

PRESIDENT-ELECT
Josué M. González, Ed.D.
Director of Resource Development
Chicago Public Schools
1819 W. Pershing Road
Chicago, IL 60609
(312) 890-8020

VICE PRESIDENT
Liliam Malavé, Ph.D.
Bilingual Education Program
SUNY at Buffalo
594 Baldy Hall
Buffalo, NY 14260
(716) 636-2462

SECRETARY
Aurora Martinez Quevedo
Director of Bilingual Education
San Jose Unified School District
[illegible] Park Avenue, Suite [illegible]
San Jose, CA [illegible]
[illegible]

TREASURER
Agnes Cowan
Exec. Director, Cross Cultural Ed. Center
P.O. Box 48
Park Hill, OK 74451
(918) 456-6177

PAST PRESIDENT
Sarah E. Melendez, Ed.D.
American Council on Education
Office of Minority Concerns
One Dupont Circle
Washington, D.C. 20036
(202) 939-9393

PARENT-AT-LARGE
Norman C. Ortiz
424 San Antonio Way
Sacramento, CA 95819
(916) 445-2872

EASTERN REGIONAL REPRESENTATIVE
Muriela Lara
Norwalk Public Schools
105 Main Street
Norwalk, CT 06852
(203) 847-5481

CENTRAL REGIONAL REPRESENTATIVE
Tony Baez
Milwaukee Area Technical College
1015 N. Sixth Street, Suite 224
Milwaukee, WI 53203
(414) 278-6298

WESTERN REGIONAL REPRESENTATIVE
Lucy M. Cruz
Creative Associates
3120 W. Alabama Place
Denver, CO 80219
(303) 922-0738

LEGISLATIVE COUNSEL
James J. Lyons, Esq.
Washington, D.C.
(202) 544-5061

NABE NEWS EDITOR
Nancy F. Zelasko
Washington, D.C.
(202) 625-3540

NABE JOURNAL EDITOR
Reynaldo Macías, Ph.D.
Los Angeles, CA
(213) 743-2296

NATIONAL OFFICE SECRETARY
Carolyn L. Riddick
Room 407, 1201 16th Street, N.W.
Washington, D.C. 20036

15th ANNUAL INTERNATIONAL
BILINGUAL BICULTURAL
EDUCATION CONFERENCE
PALMER HOUSE HOTEL
CHICAGO, ILLINOIS
APRIL [illegible] 1986
[illegible] HEADQUARTERS TELEPHONE
(312) [illegible]

STATEMENT OF

THE NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION

ON S. 2256,

A BILL TO AMEND THE BILINGUAL EDUCATION ACT

PRESENTED TO

SUBCOMMITTEE ON EDUCATION, ARTS, AND HUMANITIES

SENATE LABOR AND HUMAN RESOURCES COMMITTEE

JUNE 5, 1986

Mr. Chairman, Members of the Subcommittee, the National Association for Bilingual Education (NABE) appreciates the opportunity to testify on S. 2256, a bill to amend ESEA Title VII, the Bilingual Education Act.

NABE's testimony on S. 2256 focuses on two sections of the bill, sections 2 and 3. The technical amendments contained in section 4 are innocuous, and section 5 merely sets out an effective date for the proposed amendments.

SECTION 2 OF S. 2256: A TIMELY REPUDIATION OF SECRETARY BENNETT'S "ENGLISH-ONLY" BILINGUAL EDUCATION "INITIATIVE"

Section 2 of S. 2256 would add the following new finding to the Bilingual Education Act:

> that, regardless of the method of instruction, programs which serve limited English proficient students have the equally important goals of developing academic achievement and English proficiency.

This provision, which NABE unequivocally supports, is in perfect harmony with the legislative intent and history of the Bilingual Education Act from the time of its enactment in 1968 through its most recent reauthorization less than two years ago. And while this finding may be legally superfluous, it represents a timely reaffirmation of what the Bilingual Education Act is all about -- providing equal and effective educational opportunities to limited English proficient (LEP) students.

What makes this reaffirmation so timely is that it contradicts every element of Education Secretary Bennett's "initiative" on bilingual education including the substantive amendments to Title VII set out in section 3 of S. 2256.

The bottom-line of Secretary Bennett's so-called initiative is not pedagogical "flexibility", but rather a radical reduction of the educational rights of language-minority students. These rights, established by federal legislation and litigation, include the right to learn English, our common language; and the right to learn the academic subjects which are required for grade-promotion in school, graduation from school, and success in everyday life. And in keeping with the recommendations of recent reports on educational improvement, language-minority students --like all other students -- should be encouraged and given the opportunity to become multilingual, able to communicate in English and at least one other language.

To understand how Secretary Bennett's "initiative" threatens to reduce and restrict these educational rights, let us examine the record.

First, there was the Secretary's announcement of his bilingual education policy "initiative" in a New York City speech last September. In that speech, Bennett branded the Bilingual Education Act a "failure" declaring:

> This, then, is where we stand: After seventeen years of federal involvement, and after $1.7 billion of federal funding, we have no evidence that the children whom we sought to help -- that the children who deserve our help -- have benefitted.

Even more disturbing than this statement was the "English-only message" which Secretary Bennett repeated over and over again -- at least 15 times during his 17-page speech. (Excerpts from the Bennett speech are attached to this statement.)

In November, the Education Department attempted to codify Secretary Bennett's truncated "English-only" vision of equal and effective educational opportunity through the publication of proposed new regulations for the Bilingual Education Act. While new regulations were needed to implement the bipartisan revision of Title VII effected through the Education Amendments of 1984, the Department's proposed regulations contravened both the letter and spirit of the revised Bilingual Education Act.

According to the law, Title VII programs must accomplish two objectives. They must help children "to achieve full proficiency in English" and "to meet grade promotion and graduation standards." The statute also states that Title VII programs "may additionally provide for the development of student competencies in a second language."

In keeping with Secretary Bennett's "English-only" approach to bilingual education, the proposed regulations ignored the statutory mandate that Title VII programs help students meet grade-promotion and graduation standards. And instead of implementing the statutory requirement that Title VII programs help children achieve "full proficiency in English, the regulations interjected a restrictive requirement not contained in the law -- the requirement that children be exited from Title VII programs "as quickly as possible."

While the Department ballyhooed the regulations as increasing local "flexibility," the regulations set out many restrictions on Title VII programs that are not to be found in the act. In addition to mandating an extra-legal standard for exiting Title VII students, the regulations contain eligibility restrictions which would effectively bar most American Indian and Alaskan Native students from participating in Title VII programs. And the proposed regulations include numerous provisions, not contained in the law or contemplated by Congress, which would severely restrict the availability of Title VII assistance to needy and qualified school districts.

Finally, in February of this year, Secretary Bennett transmitted to Congress the Department's proposed amendments to the Bilingual Education Act. It is significant that the Secretary's proposed amendments, set out in sections 3, 4, and 5 of S. 2256, did net include the finding contained in section 2 of the bill.

The reason why the Department's proposed legislation did not include the finding set out in section 2 of S. 2256 is clear from Secretary Bennett's letter of transmittal. According to the Secretary:

> The overriding purpose of bilingual education must be to enable children of limited English proficiency to become fluent in English as quickly as possible.

This statement, like all the others made by Secretary Bennett, reveals his bilingual education "initative" for what it is -- an attempt to reduce the rights of language-minority students from "English-plus" (the right to learn English plus the academic subjects required for grade-promotion and graduation) to "English-only."

I conclude my comments on section 2 of S. 2256 by noting that it is a legislative anomaly. Section 2 reaffirms the educational rights and objectives contained in the current Bilingual Education Act. In so doing, it contradicts the Secretary's English-only "initiative" on bilingual education, the very same initiative which section 3 would implement.

SECTION 3 OF S. 2256
BACKGROUND

Prior to 1984, the Bilingual Education Act provided funding for one type of instructional program. This type of program -- not to be confused with a teaching method or curriculum -- involved the use of English and a student's native language as dual media of instruction.

The students eligible for such programs, according to the Education Amendments of 1978, were those language-minority students who "have sufficient difficulty speaking, reading, writing or understanding the English language to deny such individuals the opportunity to learn successfully in classrooms where the language of instruction is English."

At no time did Title VII prescribe the proportionate use of the two languages, leaving such decisions to local teachers and school officials. The 1978 Education Amendments merely required that the dual language programs be designed and operated so as to "allow a child to progress effectively through the educational system." In practice, the proportionate use of English and a second language as instructional media varied widely between programs and within programs over time.

Under Title VII, program design decisions have always be left to local school officials. Accordingly, Title VII programs have exhibited tremendous diversity in terms of curricula, classroom organization, instructional methods and materials, and other program characteristics.

In the 1984 Education Amendments, Congress adopted the label which hitherto had been informally applied to this type of dual language instructional program, calling them programs of transitional bilingual education. Congress clarified the program's objectives by requiring that they "allow a child to achieve comptence in the English language ... [and] to meet grade-promotion and graduation standards."

The 1984 Education Amendments also established two new types of student instructional programs under Title VII. As with transitional bilingual education, neither of the two new types of programs -- programs of developmental bilingual education and special alternative instruction programs -- constitutes an educational method or curriculum. Both of these new types of programs were established to respond to particular local circumstances and national needs, and both program types increased the programmatic flexibility of the Bilingual Education Act.

Programs of developmental bilingual education involve the use of English and a second language as instructional media. In addition to helping LEP students achieve competence in English and mastery of subject matter skills, developmental bilingual education programs also must be designed to help students achieve competence in a second language. The establishment of this new type of Title VII program was based upon the finding

> that both limited English proficient children and children whose primary language is English can benefit from bilingual education programs, and that such programs help develop our national linguistic resources.

In keeping with this finding, Title VII requires that

> Where possible, classes in programs of developmental bilingual education shall be comprised of approximately equal numbers of students whose native language is English and limited English proficient students whose native language is the second language of instruction and study in the program.

The second new type of Title VII program established under the 1984 Education Amendments is called special alternative instruction programs. Like transitional and developmental bilingual education programs, this type of program must "allow a child to achieve competence in the English language and to meet grade-promotion and graduation standards." Unlike transitional and developmental bilingual education programs, however, there is no requirement pertaining to the use of a child's non-English native language as a medium of instruction. The establishment of special alternative instruction programs under the Bilingual Education Act was predicated on the statutory finding

> that in some school districts establishment of bilingual education programs may be administratively impractical due to the presence of small numbers of students of a particular native language or because personnel who are qualified to provide bilingual instructional services are unavailable.

The bipartisan group of House members who developed the revised Bilingual Education Act were concerned that the newly created Title VII programs not draw away resources from the time-tested transitional bilingual education program. Accordingly, they established a funding floor for transitional bilingual education programs -- 75 percent of the funds available under Part A for program grants, which is approximately 45 percent of total Title VII funding. At the same time, they imposed a ceiling on funding for the new monolingual special alternative instruction programs. This ceiling is adjustable; it provides a minimum set-aside of 4 percent of the first $140 million of Title VII appropriations for special alternative instruction programs; and it sets aside an additional 50 percent of all Title VII appropriations in excess of $140 million, subject to a 10 percent limitation of total Title VII funding.

Section 3 of S. 2256 would remove both the funding floor under transitional bilingual education programs and the adjustable funding ceiling applicable to special alternative instruction programs. Removal of these funding provisions would enable Secretary Bennet to implement his narrow and restrictive vision of equal and effective educational opportunities; it would enable him to transform the Bilingual Education Act into the "English-only" act.

NABE's objections to section 3 of S. 2256 are two-fold. First and foremost, we believe it is a prescription for educational failure. Second, we believe that it is based upon a series of fallacious arguments about Federal educational responsibilities and programs.

A PRESCRIPTION FOR EDUCATIONAL FAILURE

Congress passed the Bilingual Education Act in 1968 because of overwhelming evidence of the ineffectiveness of monolingual English instruction for non-English-language children. This evidence, based on more than a half-century of experience with English-only schooling, consisted of low academic test scores and high student drop-out rates. And the most ironic and tragic evidence of the failure of monolingual schooling consisted of the fact that countless Indian, Hispanic, Asian, and other language-minority students left school without mastering English -- the only language used and taught in the schools.

As a result of the Bilingual Education Act, we have learned a lot about language acquisition, cognitive development, and academic achievement. We know that it takes 3 - 5 years, on the average, for a non-English-speaking child to develop the level of English proficiency required for effective participation in an English-only classroom.

Obviously, the speed at which a child acquires a new language is influenced by many out-of-school factors, particularly the educational background and language proficiency of a child's parents. And in that regard it is important to recognize that the overwhelming majority of parents of LEP children are themselves LEP; and that many of these LEP parents are the casualties of our former educational neglect.

Even if Secretary Bennett were right in his assertion that there is no one educational approach that is most effective in teaching English to all LEP students in all situations, he would still be wrong about the importance and relative effectiveness of bilingual education.

To withold effective academic instruction until a child has achieved a level of proficiency which permits him or her to learn in English is more than a waste of time; it is the waste of a human mind, eager and capable of learning. For most children, education delayed is education denied.

A school's failure to take into account and use a child's native language can have tragic results. Three weeks ago, Isidro Feliciano, a Connecticut parent of two LEP students who are also mentally handicapped, testified before the Senate Appropriations Committee on the need to improve bilingual special education. Mr. Feliciano's testimony, attached to this statement for inclusion in the hearing record, underscores the critical role language plays in the education and development of LEP students.

Contrary to Secretary Bennett's assertions, there is substantial evidence that use of a child's native language promotes not only overall academic achievement and cognitive development but also English language acquisition. The most recent evidence is contained in the first-year results of a four-year longitudinal study conducted for the Education Department by SRA Technologies Inc.

The SRA study is a controlled comparison of three types of programs for LEP students -- labeled "immersion classes," "early-exit bilingual classes," and "late-exit bilingual classes" which use varying amounts of native language (Spanish) instruction. Contrary to the researchers' hypothesis, first-year data show that the students in "immersion classes" -- the students who received the most English language instruction -- made the least progress in reading, English language-arts, and mathematics. And the students in the "late-exit bilingual classes" -- the students who received the most Spanish language instruction -- made the greatest gains in English language development and mathematics.

Admittedly, the SRA study is not complete; but even its first-year results -- not to mention scores of completed studies -- should give pause to the advocates of English-only instructional programs, including so-called "immersion" programs which the Education Department has uncritically embraced.

The positive effects of bilingual education extend beyond the limited English proficient child. NABE has found that bilingual education has literally "opened the schoolhouse door" to thousands of parents who would otherwise be linguistically shut-out of their children's education.

Secretary Bennett's pet publication What Works: Research About Teaching and Learning has received widespread attention. It contains many educational truths and is worthy of study. At the same time, however, What Works has been criticized as overly-simplistic and naive, especially in its inattention to the resources needed for educational improvement. Nowhere is the tension between truth and naivete more obvious than with respect to parent involvement. Consider the following findings from the report:

> Parents are their children's first and most influential teachers. What parents do to help their children learn is more important to academic success than how well-off the family is.
>
> The best way for parents to help their children become better readers is to read to them -- even when they are very young. Children benefit most from reading aloud when they discuss stories, learn to identify letters and words, and talk about the meaning of words.
>
> Parental involvement helps children learn more effectively. Teachers who are successful at involving parents in their children's schoolwork are successful because they work at it.

These statements represent sound advice for parents and teachers. But what about the parents and teachers who can't communicate with one another because of language barriers? And how are non-English-speaking parents going to help their children with reading and homework in a language they don't understand?

Secretary Bennett is right about one thing: not all bilingual education programs succeed. But he is also wrong about one thing: that English-only educational programs afford LEP students and their parents the same opportunities as bilingual programs.

Earlier this year, the Nation grieved at the loss of seven fellow Americans who perished in the Challenger shuttle disaster. The fact that one of those astronauts, Christima McAuliffe, was a teacher served to symbolize the similiarities between space exploration and education.

Education and space exploration involve tasks of great complexity, tasks of great uncertainty. And education and space exploration have the potential for improving our lives in ways we cannot fully comprehend.

NASA has the responsibility for launching people and objects into space; our schools have the responsibility for launching human minds.

The Challenger tragedy, and the subsequent failures of two unmanned NASA rockets have not caused our leaders to abandon the space program. Why is it then that Secretary Bennett, our Nation's educational leader, -- citing the lack of 100 percent educational success in dual language instructional programs -- demands that Congress abandon its commitment to bilingual education?

FALLACIOUS ARGUMENTS FOR "FLEXIBILITY"

In addition to branding bilingual education a "failure," Secretary Bennett has advanced a number of arguments in favor of greater pedagogical "flexibility" under the Bilingual Education Act. A review of the Reagan Administration's record on education reveals the fallacy of the Secretary's arguments.

First, Secretary Bennett constantly refers to the "4 percent" cap on funding for special alternative instruction programs. As noted earlier, the cap on special alternative instruction programs is expandable; 50 percent of all appropriations in excess of $140 million are set aside for this monolingual program until they reach 10 percent of total Title VII funding. Yet, the Administration has refused to avail itself of the funding escalator built into Title VII, recommending, instead, funding below the $140 million mark.

Second, Secretary Bennett repeatedly cites the fact that the Department received over 100 applications for special alternative instruction grants in FY 1985 but was able to fund only 35. Let's put this figure in perspective.

The table on the following page shows the number of applications received for new Title VII grants in FY 1985 by program type, and the number and percent of applications funded.

Program	New Applications Received FY 85	Number & Percent Funded FY 85	
Special Alternative Instruction	103	35	34%
Special Populations (Handicapped, Preschool, Gifted & Talented)	85	27	32%
Developmental Bilingual Education	11	2	18%
Transitional Bilingual Education	344	138	40%
Instructional Materials Development	19	2	11%
Educational Personnel Training	131	43	33%
Fellowships	50	38	76%
Family English Literacy	50	4	8%

As the table illustrates, the supply of Title VII assistance is inadequate to meet the demand for grants. Inadequate Title VII appropriations, a function of the Administration's penurious budget requests -- not "inflexibility" -- are to blame.

Third, at the same time that Secretary Bennett decries the programmatic "inflexibility" of Title VII, he has asked Congress to zero-fund or slash support for other Federal education programs serving limited English proficient students which contain no requirements pertaining to dual language instruction. Examples include the Administration's request to

- eliminate the $30 million Immigrant Education program;
- eliminate the $24 million Training and Advisory Services program authorized under Title IV of the Civil Rights Act of 1964;
- cut $50 million from the Chapter 1 program for migrant students;
- terminate the College Assistance Migrant and Follow Through programs; and,
- cut approximately $50 million in federal support for Indian education programs.

Fourth, at the same time that the Department cites the shortage of trained, qualified bilingual education teachers as evidence of the need to fund more special alternative instruction programs, the Department has proposed to cut Title VII funding for teacher training and retraining below the 25 percent level specified in the 1984 Education Amendments.

Finally, there is accumulating evidence that the Department of Education is moving systematically to dismantle or disrupt not only the bilingual education program but also other Departmental functions and activities designed to benefit LEP students. The evidence includes:

- the appointment of ideologues to the National Advisory and Coordinating Council on Bilingual Education;
- drastic downward revisions in the Department's estimates of the size of the LEP student population;
- delays in the procurement of a new contract for the Title VII Clearinghouse and substantial reductions in Clearinghouse activities; and,
- failure to utilize the Department's revised "super-flexible" Title VI Lau compliance standards to ensure nondiscrimination in federally-assisted education programs.

CONCLUSION

LEP children and the schools serving them are a matter of particular federal responsibility. Indeed, the presence of most LEP children in school districts is the result of past federal actions including territorial annexation, immigration policies, and the conduct of United States diplomatic and military activities abroad.

The Bilingual Education Act represents a small but tangible effort by the federal government to fulfill its responsibility to LEP students and the schools they attend. Like all education programs bilingual education is neither perfect nor 100 percent successful.

We believe, however, the record shows that bilingual education has improved the educational opportunities available to LEP students and their parents. And we believe the record shows that the problems confronting limited English proficient students and the schools they attend stem from federal neglect not federal inflexibility.

According, NABE opposes section 3 of S. 2256, and urges the Subcommittee to expand the scope of its inquiry beyond the narrow and fallacious issue of "flexibility."

Finally, those of us in education together with the parents of the children we serve, wish that more Members of Congress would approach the challenge of education in the same way they approach the challenge of space exploration. The "payloads" launched daily in our classrooms -- human minds -- are the richest resource in the universe. The preservation, care, and development of this resource should be the first and foremost goal of our Nation's government.

ATTACHMENT TO NABE TESTIMONY ON S. 2256

Excerpts from Education Secretary William J. Bennett's September 26, 1985
Address on Bilingual Education to Association for a Better New York

----- ----- ----- ----- ----- -----

And our common task is to ensure that our non-English speaking children learn this common language. (page 1)

And we expect our schools to help teach all of our students English, the common language that will enable them to participate fully in our political, economic, and social life. (page 2)

The purpose of such steps [1980 DHEW civil rights actions] was clear -- to teach these student English; and schools were free to use whatever means they judged would be effective in the pursuit of this goal. (page 4)

... we had lost sight of the goal of learning English as key to equal educational opportunity. (page 6)

But the responsibility of the federal government must be to help ensure that local schools succeed in teaching non-English speaking students English, so that every American enjoys access to the opportunities of American society. (page 6)

It was clear that the problem [identified by Congress in 1968] was the inability of many poor children to speak English; and the solution was funding for a variety of programs to teach those students English. (page 7)

The change [in Title VII as the result of the 1974 Education Amendments] came about because the understanding of the [Title VII] program changed; it was no longer the straightforward one of making sure that students acquired proficiency in English. (page 8)

And Congress [through the Education Amendments of 1984] unfortunately further backed away from a clear statement of the goal of learning English, by authorizing for the first time funding for programs designed simply to maintain student competence in the native language. (page 10)

Does it not make sense to allow local school districts to pursue the educational method they judge most promising to teach their non-English speaking students English? (page 12)

Let me be clear: We do not intend to prescribe one method or another. Many school districts will undoubtedly continue to pursue program with some instruction in the native language; in some circumstances, these can be very useful in helping students keep up with their classwork until they become fluent in English. We do not intend to prescribe one method or another. But the goal of any method should be clear: fluency in English. (page 13)

Many children in earlier generations learned English in such [sink or swim] circumstances; but some did not, and at times the cost was high. We intend to enforce the requirement that school districts provide equal opportunity for students deficient in English, by providing programs that address their needs; and we intend to continue funding programs that address the need of school children who need to learn English or to improve their English. (page 13)

As the educational historian, Diane Ravitch, points out, "it is unprecedented for the federal government to prescribe a particular pedagogical method... Congress should prescribe the goal -- in this case English language literacy -- and each districts should be free to decide how to achieve that goal."

But as this comment suggests, we need also to clarify for ourselves our national commitment to the goal. Paradoxically, we have over the last two decades become less clear about the goal -- English language literacy -- at the same time as we have become more intrusive as to the method. (page 14)

And teaching English to those whose native language is not English is a continuation of the struggle to provide for all Americans an equal opportunity to make of themselves what they can. (page 16)

We should not be bashful about proclaiming fluency in this [English] language as our educational goal; and we should not be timid in reforming our policies so as to secure it. (page 17)

NATIONAL ASSOCIATION
FOR BILINGUAL EDUCATION
Room 407 — 1201 16th Street N.W. — Washington, D.C. 20036 — (202) 822-7870

EXECUTIVE BOARD 1985-86

PRESIDENT
Gene T. Chávez, Ed.D.
Center for Multicultural Outreach
7401 Metcalf Avenue
Overland Park, KS 66204
(913) 722-6272

PRESIDENT-ELECT
Josué M. González, Ed.D.
Director of Resource Development
Chicago Public Schools
1819 W. Pershing Road
Chicago, IL 60609
(312) 890-8000

VICE PRESIDENT
Liliam Malavé, Ph.D.
Bilingual Education Program
SUNY at Buffalo
584 Baldy Hall
Buffalo, NY 14260
(716) 636-2442

SECRETARY
Aurora Martínez-Quevedo
Director of Bilingual Education
San Jose Unified School District
1871 Park Avenue, Suite 1
San Jose, CA 95126
(408) 998-6112

TREASURER
Agnes Cowen
Exec. Director, Cross Cultural Ed. Center
P.O. Box 66
Park Hill, OK 74451
(918) 456-6177

PAST PRESIDENT
Sarah E. Meléndez, Ed.D.
American Council on Education
Office of Minority Concerns
One Dupont Circle
Washington, D.C. 20036
(202) 939-9390

PARENT-AT-LARGE
Norman C. Gold
624 San Antonio Way
Sacramento, CA 95819
(916) 445-2872

EASTERN REGIONAL REPRESENTATIVE
Myrella Lara
Norwalk Public Schools
105 Main Street
Norwalk, CT 06852
(203) 847-0481

CENTRAL REGIONAL REPRESENTATIVE
Tony Báez
Milwaukee Area Technical College
1015 N. Sixth Street, Suite 224
Milwaukee, WI 53203
(414) 278-6299

WESTERN REGIONAL REPRESENTATIVE
Lucy M. Cruz
Creative Associates
3120 W. Alabama Place
Denver, CO 80219
(303) 922-0739

LEGISLATIVE COUNSEL
James J. Lyons, Esq.
Washington, D.C.
(202) 544-5081

NABE NEWS EDITOR
Nancy F. Zelasko
Washington, D.C.
(202) 625-3540

NABE JOURNAL EDITOR
Reynaldo Macías, Ph.D.
Los Angeles, CA
(213) 743-[illegible]

NATIONAL OFFICE SECRETARY
Carolyn L. Riddick
Room 407, 1201 16th Street, N.W.
Washington, D.C. 20036

15th ANNUAL INTERNATIONAL
BILINGUAL BICULTURAL
EDUCATION CONFERENCE
PALMER HOUSE HOTEL
CHICAGO, ILLINOIS
APRIL 1-5, 1986
CONFERENCE HEADQUARTERS TELEPHONE
(312) 793-3850

STATEMENT

OF

ISIDRO FELICIANO

PARENT LIVING IN BRIDGEPORT, CONNECTICUT

ACCOMPANIED BY

MR. JAMES J. LYONS, NABE LEGISLATIVE COUNSEL

TO

THE SENATE APPROPRIATIONS SUBCOMMITTEE

ON LABOR - HEALTH AND HUMAN SERVICES - EDUCATION

MAY 15, 1986

Mr. Chairman, Members of the subcommittee, my name is Isidro Feliciano and I live in Bridgeport, Connecticut. I appreciate the opportunity to stand in for Dr. Sarah Melendez, the scheduled witness for the National Association for Bilingual Education. Dr. Melendez, who formerly taught in and directed bilingual education programs in Connecticut, was called out of town on travel. I ask that her statement, already delivered to the subcommittee, be entered into the record.

I came to Washington to plead for the subcommittee's help in improving bilingual special education. As a resident of Connecticut, I know of your leadership, Mr. Chairman, in the fields of special education and civil rights. And so, I am confident that my plea will be answered.

My plea is intensely personal; yet it is delivered on behalf of thousands of other language-minority parents. You see, my wife and I moved to Bridgeport from Puerto Rico less than two years ago. Our native language, and that of our five children is Spanish. My children have been correctly classified by the Bridgeport School District as limited-English-proficient or LEP. I serve as the Chairman of the Bridgeport Advisory Committee on Bilingual Education, and am an active member of the Connecticut and National Associations for Bilingual Education.

I have a 12 year old daughter, Solimar, who has Downs syndrome. I also have a 16 year-old son, Edgar who has leukemia which is currently in remission. Solimar and Edgar have been appropriately identified by Bridgeport school officials as both limited-English-proficient and Educationally-Mentally-Retarded.

One would think that Solimar and Edgar would be well-served because they are doubly protected by Federal law. Under the Supreme Court's ruling in Lau v. Nichols they are entitled to a special program to overcome language barriers. And Public Law 94-142 entitles them to an individualized education program tailored to their special needs.

Yet, despite two laws and the efforts and good intentions of Bridgeport school officials, Solimar and Edgar are not well-served. Solimar is enrolled in an elementary EMR program which is conducted in English. Fortunately, a bilingual aide in the EMR program is available to provide some translation of class information. Edgar is enrolled in a high school EMR class conducted in English and receives a small amount of tutoring in English-as-a-Second language (ESL). No one in Edgar's program is available to provide translation of class information which he may not understand.

As limited as Bridgeport's services are for my two children, they are greater than those available to many other LEP-handicapped children. Bridgeport has three bilingual school psychologists who are able to assess the special education needs of some of our

Hispanic students.

Many other school districts have no staff who are trained to evaluate or meet the special education needs of LEP students. As a result, we have hundreds of thousands of students enrolled in special education program which they don't need. They are not handicapped, except by their lack of English. And, at the same time, LEP students with real handicaps, like Solimar and Edgar, do not receive the most effective special education services.

Mr. Chairman, when you mark up the appropriations bill for bilingual education and special education, I ask that you consider the problems I have addressed, the needs of language-minority children and handicapped children, and the needs of Solimar and Edgar.

I and the people with me will be glad to answer any questions you may have.

Senator QUAYLE. Our next witness is Mr. Raul Yzaguirre, who is president of the National Council of La Raza, here in Washington.

Welcome.

Mr. YZAGUIRRE. Thank you, Mr. Chairman.

I have some analyses of the bill that I would like to submit for the record in case I do not get to it in my oral testimony.

Senator QUAYLE. It will be made a part of the record.

Mr. YZAGUIRRE. Thank you.

Mr. Chairman, my name is Raul Yzaguirre, and I am president of the National Council of La Raza, one of the largest organizations representing Hispanic Americans. I appreciate you giving me the opportunity to appear before you today to offer testimony on Senate bill 2256, the Bilingual Education Act Amendments of 1986.

The National Council of La Raza exists to improve life opportunities for Americans of Hispanic descent. For this reason, we are dedicated to improving the quality of education available to all Hispanics, and most especially to the most vulnerable group of Hispanic children, those who are limited English proficient.

Let me state at the outset that neither the National Council of La Raza nor our affiliated organizations receive title VII funds. We have no vested interest, no jobs to protect, as the Department of Education has often and incorrectly accused all of us who disagree with their bilingual education policies.

I can summarize our interests for you very simply: we want all our children to learn, to be fully literate in English, and to succeed in school. And we believe that for many of our children, bilingual education is the most effective tool to accomplish those goals.

This is an issue that is close to the hearts of millions of Hispanic Americans. In communities throughout this country, Hispanics have been responding with outrage at the proposed amendments.

I must tell you that while I am pleased that the subcommittee is interested in the views of the Hispanic community, I wish that there was no need for me to be here today. I wish Congress would spend more time seeking to improve the educational outcomes for Hispanic and other limited English proficient children, instead of continually debating the effectiveness and continued existence of one of the most successful Federal programs for limited English proficient children—the Bilingual Education Act.

This time, the attack on bilingual education is being misrepresented and sold to the public as granting more flexibility to local school districts. Allow me to set the record straight. This legislation is not about making it easier for school districts to meet the needs of limited English proficient children, nor is it about the effectiveness of dual language instruction. As far as we are concerned, the research eloquently speaks for itself.

In fact, I would like to direct the subcommittee's attention to the current study on bilingual education funded by the Department. The first-year findings of the study indicate that children in late-exit transitional bilingual education programs are outperforming children in early-exit transitional bilingual education programs, and both of these programs are performing better in English and subject matter than children in English immersion programs.

The real purposes of S. 2256 are: First, to reduce Federal funds for bilingual education, and second, to give the Secretary of Education the authority to end Federal support for bilingual education.

I would like to remind the subcommittee that Federal support for English-only instruction for limited English proficient children already exists in many programs, including Chapter 1, the Chapter One Migrant Programs and the Emergency Immigrant Assistance Program.

The Bilingual Education Act is the only Federal program that supports bilingual education.

In 1984, Congress developed specific guidelines for the funding of different types of programs authorized by title VII. Removing these guidelines as the legislation proposes would convert the program into a sort of Secretary's discretionary fund for limited English proficient children. If enacted, Senate bill 2256 would grant the Secretary of Education sweeping and unwarranted authority to pick and choose among the programs authorized by title VII and fund his or her own priorities from year to year. The Secretary would have the authority to fund only programs which use no native language, converting the Bilingual Education Act into the "Monolingual Education Act". He could also decide to fund only programs serving adults.

The amendments would give appointed officials undue authority to determine Federal policy regarding limited English proficient children–authority which we believe rightfully belongs to elected representatives.

I submit that the Department does not need nor merit additional flexibility. I ask that this committee look closely at what the Department has done with existing discretion. The Department has used its flexibility to destabilize and limit the effectiveness of programs for disadvantaged children. Given this record, I do not believe that the current Secretary of Education should be turned loose to implement the Bilingual Education Program with no guidance from Congress.

Let me be specific, let me describe for you what the Secretary has done in the last few years.

The Department has proposed regulations for title VII that deviate significantly from the letter of the law and the intent of Congress. The regulations are already late, making it very difficult for local school districts to plan for the coming year, and forcing districts to incur the extra cost of hiring summer personnel to prepare grant applications.

Despite the severe shortage of bilingual teachers, the Department has attempted to reduce title VII teacher training assistance through the appropriation process.

The Secretary has appointed individuals to the National Advisory and Coordinating Council for Bilingual Education who advocate the dismantlement of the program and/or the elimination of Federal funding for bilingual education programs. And frankly, Mr. Chairman, I find those kinds of actions much more telling than the assertions the Secretary made this morning that he supports bilingual education.

Despite the disproportionately high adult illiteracy rate among Hispanics, the Secretary has attempted to deny any funding for the Family English Literacy Program, which provides for combined parent training and school readiness programs for limited English proficient families.

Finally, after intense public outrage and pressure, four programs have been funded nationwide.

Activity by the Office of Civil Rights, OCR, which monitors local school districts to assure that they are protecting the civil rights of limited English proficient children has declined dramatically over the last 5 years. According to data compiled at congressional request, more than half of those school districts with Lau compliance plans with the Office of Civil Rights bother to comply.

Let me just conclude, Mr. Chairman, by focusing on that one point. The Secretary this morning indicated that he was interested in the rights of language minority children and that he would make sure that the law would be effectively implemented. His record in implementing Lau regulations speaks very clearly for a different kind of conclusion.

We must differentiate between a categorical discretionary program, as the Bilingual Education Program, and the civil rights implications. In the latter, we might be willing to be much more flexible.

Thank you.

Senator QUAYLE. Thank you very much.

[The prepared statement of Mr. Yzaguirre follows:]

TESTIMONY PRESENTED TO

THE SENATE SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

ON

S.2256

PROPOSED AMENDMENTS TO THE BILINGUAL EDUCATION ACT

Presented by

Raul Yzaguirre
President

National Council of La Raza
20 F Street, N.W., Second Floor
Washington, D.C. 20001
(202) 628-9600

June 5, 1986

Mr. Chairman, members of the Subcommittee, my name is Raul Yzaguirre, and I am president of the National Council of La Raza, one of the largest national Hispanic organizations. The National Council of La Raza is dedicated to improving life opportunities for the nation's more than 16.9 million Hispanic Americans. Given the youthfulness of the Hispanic population relative to other population groups -- over 25% of Hispanics are between 5-17 years of age compared to only 19% of other population groups -- and the poor educational condition of Hispanics, La Raza is particularly concerned with efforts to improve the quality of education. The Council is especially concerned with programs addressing the needs of the most vulnerable group of Hispanics, persons of limited-English proficiency.

Bilingual education is an issue close to the hearts of millions of Hispanic Americans, who support it as a program which enables many Hispanic children to succeed in school and become fully English proficient. It is one of the few issues which moves youth, parents and other community members to write to their elected representatives and ask for their support. I have been overwhelmed at the number of people calling to ask about S. 2256, this new attack on bilingual education, in the last few weeks, and the many people who have sent the Council copies of letters which they have written to many of you regarding this bill.

The National Council of La Raza strongly supports the Bilingual Education Act of 1984 and believes that it should be implemented as passed by Congress a year and a half ago, and funded at a level adequate to make meaningful improvements in the quality of education for limited-English proficient persons.

I am here before you today to testify in opposition to S. 2256, the Department of Education's latest in a series of bills seeking to amend the Bilingual Education Act. These proposed amendments would grant the Department greatly expanded discretion in administering the Bilingual Education Act — they would reduce federal support for bilingual education and diminish the quality of education for Hispanic limited-English proficient children. The National Council of La Raza opposes S. 2256 for the following reasons:

1. **THE BENNETT AMENDMENTS ARE BASED ON THE ASSUMPTION THAT MONOLINGUAL ENGLISH-ONLY PROGRAMS ARE AS EFFECTIVE FOR LIMITED-ENGLISH PROFICIENT CHILDREN AS PROGRAMS WHICH ALSO USE THE CHILDREN'S NATIVE LANGUAGE.**

This is an erroneous assumption. Federal, state and local research has documented the effectiveness of properly-implemented dual-language programs for limited-English proficient children.

- o Title VII is currently funding a four-year, $2.2 million study to examine the effectiveness of early- and late-exit bilingual programs and English immersion programs. First-year findings indicate that children in late-exit bilingual programs score the highest in both English language acquisition and other subject matter skills, followed by children in early-exit bilingual programs. Children in English immersion programs score lower in English and other subject matter than children in both types of bilingual programs.
- o Amendments which would result in a shift of funding from bilingual to English-only programs should not be discussed until Congress can examine the findings from this four-year study.

2. **THE PROPOSED AMENDMENTS WOULD AUTOMATICALLY CUT FUNDING FOR BILINGUAL EDUCATION.**

Under the terms of the amendments, funding to support increased numbers of all-English programs could come only from funds currently committed to support bilingual programs:

- o Funds to support local programs must come from the 60% of the appropriation reserved for Part A of the Act. These funds are currently committed among seven different types of programs: Transitional Bilingual Education, Special Alternative Instruction Programs (SAIP), Developmental Bilingual Education, Academic Excellence, Special Populations, Family English Literacy, and Materials Development.
- o Without an increased appropriation for Title VII, any new money for one type of program must be offset by a reduction in another program.

3. **BILINGUAL EDUCATION PROGRAMS ARE ALREADY UNDERFUNDED RELATIVE TO NEED**

All local-school programs authorized by Title VII — not just the Special Alternative Instructional Programs (SAIP) — are dramatically underfunded relative to need. Grants are awarded through a competitive process. As the Department has noted, only one in three SAIP programs received funding in FY 1985. This is not because the funds were disproportionately committed to bilingual education, but because local demand for assistance far outweighs federal ability to respond. Bilingual and other program categories fared just as badly as or worse than SAIP because of limited Title VII resources. Additional funds are needed for all program categories:

- Only one in three school districts seeking assistance for transitional bilingual education programs received funds.
- Less than one in three school districts seeking assistance for bilingual education programs for special populations — such as preschool, handicapped or gifted and talented children -- received funding.
- Less than one in five school districts seeking support for Developmental Bilingual Education Programs received funding in FY 1985. Developmental bilingual programs are composed of approximately equal numbers of fluent-English proficient and limited-English proficient children and are designed to help both groups achieve proficiency in two languages.
- Less than one in ten applicants seeking to operate Family English Literacy Programs -- designed to help parents of limited-English proficient children become literate in English — received funds.
- Due to restricted appropriations, the Department is serving fewer school districts and children than in past years, although demand has remained high.
- Shifting funds from bilingual to English-only programs is not creating new opportunities; it is taking programs away from one group of children and giving the funds to another.

4. FUNDING FOR ALTERNATIVE PROGRAMS CAN BE INCREASED UNDER CURRENT TITLE VII LAW.

The current law provides a mechanism to increase support for non-bilingual alternative approaches:

- 50% of any new funds appropriated for Title VII must be reserved for Special Alternative Instructional Programs. This approach allows more funds to be allocated for all-English programs without taking those funds away from the already underfunded bilingual education programs.

5. OTHER FEDERAL FUNDS ARE CURRENTLY AVAILABLE TO FUND ALL-ENGLISH PROGRAMS

Providing federal assistance to help schools serve children who cannot be served in bilingual programs is indeed important; however, other federal programs can be used to do this without reducing support for bilingual education. While Title VII is the only federal program which specifically authorizes funds for bilingual education, several other federal programs can (and do) support all-English instructional programs for limited-English proficient children:

- Chapter 1 -- the largest federal program for elementary and secondary education -- makes very flexible funds available to school districts serving low-income and academically disadvantaged children. Most limited-English proficient children are eligible for Chapter 1 services. All-English language assistance programs can be (and are) operated with Chapter 1 funds. Chapter 1 has an appropriation of more than $3 billion for local programs, compared to the $76.5 million which must be committed to local programs under Title VII.
- The Chapter 1 Migrant Education Program also provides language-assistance and other services to the migrant subpopulation of limited-English proficient children. The instructional approach is entirely at the discretion of local schools.
- The Emergency Immigrant Education Program, which the Department has advocated eliminating, provides school districts with significant numbers of recently-arrived immigrant children (most of whom are limited-English proficient) with financial assistance which they may choose to use to support language-assistance programs.

6. LOCAL DISTRICTS ALREADY HAVE THE FLEXIBILITY TO SELECT AND DESIGN THE TYPE OF EDUCATIONAL PROGRAM THEY PREFER.

Under current Title VII law, local districts already have the flexibility to determine which type of instructional approach they choose to employ:

- Title VII does not require districts to offer bilingual education programs. It merely tries to help those which -- because of local choice, state law, court order, or civil rights compliance plan — are implementing bilingual and other special programs. Restricting Title VII support for bilingual education will not affect state or judicial requirements which may apply to a school district.
- Participation in Title VII is voluntary and funding is extremely competitive.
- Under the current Bilingual Education Act, districts may apply for federal support for a variety of different program approaches, both bilingual and all-English. The statute requires only that districts choosing to apply

for funds under the category of bilingual education offer instruction in English, and some locally-determined amount of instruction in the child's native language.

- Local school districts design their own programs, determine how much of the native language will be used (if any), select curriculum and teaching methodology.

7. THE PROPOSED AMENDMENTS GRANT SWEEPING AND UNWARRANTED AUTHORITY TO THE DEPARTMENT OF EDUCATION.

These amendments are not about increasing local flexibility; they are about increasing the authority of the Secretary of Education in administering the Title VII program:

- Under the proposed amendments, the main Congressional guidelines for funding would be removed and Title VII converted into a sort of "Secretary's Discretionary Program" for limited-English proficient children. The Secretary would have complete discretion in determining which types of programs would receive funding, and which would be defunded.
- The Secretary of Education would have the authority to pick and choose among authorized programs, funding his or her own priorities on an annual basis. The Department would have the discretion to fund only all-English programs -- or to fund only bilingual education programs. A Secretary could convert the program into one serving predominantly adults by reducing funds for school-based programs.
- Since funding priorities would probably change from year to year, long-range planning by districts would become more difficult.
- The amendments would give appointed rather than elected officials the authority to determine federal policy regarding limited-English proficient children.

8. EXISTING DEPARTMENTAL DISCRETION HAS BEEN USED TO LIMIT THE EFFECTIVENESS OF THE BILINGUAL EDUCATION ACT.

Given the following recent actions of the Department of Education, additional Congressional oversight and guidance are needed, not more Departmental flexibility:

- New proposed regulations for Title VII deviate significantly from the letter of the law and the intent of Congress. The Department has also fallen so far behind schedule in issuing final regulations that districts will probably have to hire special personnel over the summer in order to prepare grant applications. It is also questionable whether the Department will be able to expend Title VII program funds before the end of the fiscal year.

- The Department has attempted to reduce Title VII teacher training assistance by seeking to waive funding restrictions in the legislation through the appropriations process.

- The Secretary attempted to deny any funding to two of the programs created by the 1984 Act (Developmental Bilingual Education and the Family English Literacy Program). Both programs have been severely underfunded relative to need.

- The Secretary has attempted to reduce federal support for other programs which provide "flexible" English language services to limited-English proficient children (proposed elimination of the Emergency Immigrant Education Program, and proposed reductions in the Migrant Education Program) and thus artificially increase the demand for such services within the Bilingual Education Act.

- Secretarial appointments to the National Advisory and Coordinating Council on Bilingual Education have been heavily biased in favor of those who advocate the dismantlement of the program, or the elimination of federal funding for bilingual education programs.

- Departmental flexibility has led to the virtual elimination of the National Clearinghouse for Bilingual Education. The Department has significantly reduced the level of effort for this clearinghouse and has had such difficulty adhering to its timetable to recompete the contract that one six-month extension and a temporary three-month contract have been necessary. The three-month contract was not given to the incumbent contractor but to a new firm, further disrupting services.

- Despite recent data from the Office for Civil Rights indicating that half of school districts reviewed either do not adhere to their Lau compliance plans (which define the educational programs which schools will provide for limited-English proficient children), do not identify or assess limited-English proficient children, or continue to mis-place them in special education programs, the Department plans to significantly reduce its civil rights monitoring and investigation activities in the coming year.

9. THE PROPOSED AMENDMENTS WOULD INCREASE THE POLITICIZATION OF TITLE VII

Both political parties are aware that bilingual education is an important issue in the Hispanic community. If funding decisions for the Title VII program were placed exclusively in the hands of political appointees, there would be tremendous pressure to have the grants reflect the political needs of the executive branch -- especially during election years:

- During election years, politicians seeking votes from Hispanics proclaim their support for bilingual education. Funding would probably increase during election years and decline thereafter.

- On the other hand, politicians catering to groups which mistrust bilingual education and fear changing American demographics, may seek to demonstrate their support for these groups by slashing funding for educational programs which make use of non-English languages.
- Under the Bennett proposals, there is greater likelihood that funding decisions would be made for political rather than educational purposes.

10. **CONGRESS SIGNIFICANTLY AMENDED TITLE VII IN 1984.**

Insufficient time has passed to determine the effects of changes and reforms implemented as a result of the 1984 Bilingual Education Act:

- The first year of grants made under the 1984 Act reached the schools this school year.
- No evaluation or implementation data are yet available from any of the new all-English SAIP programs funded by the 1984 Act.

In sum, Secretary Bennett's proposals to amend the Bilingual Education Act -- S. 2256 -- would reduce the effectiveness of Title VII in addressing the educational needs of limited-English proficient children. The proposals are based on faulty assumptions about the relative effectiveness of bilingual and all-English approaches, and would result in decreased funding for bilingual education. These proposals do not increase local flexibility; rather they grant sweeping and unwarranted discretion to the Department of Education. These proposals would restrict the ability of local school districts to provide an appropriate and effective education for limited-English proficient children. The amendments should be rejected by all those concerned about the education of limited-English proficient students.

Senator QUAYLE. Let me just say that I can speak for this committee, and I think I heard the Secretary clearly, that the argument is not bilingual education; the argument is not transitional bilingual education. I mean, transitional bilingual education works. That is a proven fact, that it has worked and it has been successful.

The question is that there are other methods of instruction that have proven to be successful as well. So, I do not think the argument is whether we are going to have it or not. We are going to have it. I think the question is on how it is going to be administered and what kind of educational instruction we are going to have. And that is what we are having these hearings for.

Ms. Norma Cantu, the national education director, Mexican American Legal Defense Foundation, here in Washington.

Ms. CANTU. Good morning, Mr. Chairman.

Thank you for the opportunity to address the committee.

I represent the Mexican American Legal Defense and Educational Fund, Inc., and I am also a former classroom teacher. I taught eighth grade English and ninth grade English in Texas.

I am here to summarize my testimony because we have a short amount of time, and also to address some of the comments that Secretary Bennett made this morning.

The testimony that MALDEF submitted shows, I think, that someone has not done their homework in terms of assessing how much flexibility already exists in this country as far as the education of limited English proficient students.

My position and MALDEF's position is that there is already a great amount of flexibility, and with that, a great amount of abuse of the rights of children.

I say that there is already a good amount of flexibility in this country because when the Bilingual Education Act was first passed, there was only one State in the entire country, Massachusetts, that funded bilingual education; the other 49 States did not.

Since the Bilingual Education Act has passed, we now have 12 States that mandate bilingual education. Great—12 out of the 50. Another 13 make bilingual education an option; 24 are silent in their State statutes as far as bilingual education. And one prohibits it.

So, do we have flexibility? My answer is yes, of course there is flexibility in terms of local educators making local decisions.

The Bilingual Education Act is a discretionary Act. People choose. Districts compete for the funding. So, there is flexibility there. No one is forced or coerced into a certain type of program.

Our testimony brings out another matter, and that is, sometimes flexibility runs afoul of legal standards. Districts that exercise flexibility in a way that denies children their rights break the law. A district, San Francisco, exercised flexibility when it chose to provide an all-English curriculum to Chinese students. And the U.S. Supreme Court said: Stop. This type of flexibility goes against the U.S. laws. And so the U.S. Supreme Court in Lau struck down a certain type of flexibility.

MALDEF has represented clients in six States because school districts use flexibility to deprive children of their rights. In Texas, Colorado, Idaho, Illinois—in six States—other States—Massachusetts is another State where there has been litigation. Children are told, "We, the local districts, know what is best for you." But in fact, the children are being shortchanged.

And so Federal courts have had to come in and take away rights from States and take away rights from local districts, because mistakes have been made with the educational futures of children.

I believe that the proposed amendment will engender more litigation, and that is not a positive goal. The Bilingual Education Act was intended as a positive statement from the Federal Government to local districts—a statement to encourage districts to strive for the best possible program, for programs that work.

The Bilingual Education Act should not be an act that engenders litigation.

Also, the proposed amendment will—let us be frank about it—it will eviscerate bilingual education funding. I speak from experience, because I know local districts. I have worked with them on a daily basis. Local districts find bilingual education a very challenging type of program to provide to students. It is hard work to design a program that meets the children's specific needs. And local districts want to avoid hard work. They will grasp at something that is simpler. And districts will avoid the better program of bilingual education.

I tell that to you from experience. I have seen districts that do avoid it. One very clear example is Marin County. In Marin County, where U.S. English is based, the San Rafael school district was using third grade students to teach the first grade classes. They would take the Spanish-speaking kid out of the third grade class, send him over to the first grade teacher, and the Spanish-speaking child would teach the class. This was a shortcut that the San Rafael school district was using because they did not have a bilingual education program. It was the Federal law, it was the State law, and yet the local district chose to ignore both standards, and they had flexibility until somebody complained.

That student was missing out third grade completely, and we know what kind of a first grade class was being taught if it was being run by a third grade student.

Flexibility is a positive thing, but it can be abused. And I leave that with this committee. I leave that as a message to the committee. It can be abused; it has been abused, and it is to the children's detriment.

Thank you.

Senator **Quayle**. Thank you very much, Ms. Cantu.

[The prepared statement of Ms. Cantu follows:]

**Mexican American
Legal Defense
and Educational Fund**

1701 18th Street, N.W.
Washington, D.C. 20006
(202) 393-5111

MALDEF

TESTIMONY OF

NORMA V. CANTU, NATIONAL EDUCATION DIRECTOR

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND

ON

S. 2256

AMENDING THE BILINGUAL EDUCATION ACT

BEFORE THE

SUBCOMMITTEE ON EDUCATION, ARTS AND HUMANITIES

COMMITTEE ON LABOR AND HUMAN RESOURCES

UNITED STATES SENATE

WASHINGTON, D.C.

JUNE 5, 1986

National Office
28 Geary Street
San Francisco, CA 94108
(415) 981-5800

Regional Offices
343 South Dearborn Street
Suite 910
Chicago, [illegible]
[illegible]

Contributions Are Deductible [illegible]

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

My name is Norma V. Cantu. I am the director for educational programs for the Mexican American Legal Defense and Educational Fund, Inc. (MALDEF). On behalf of MALDEF, I thank you for this opportunity to deliver our comments on the proposed amendments to the Title VII Bilingual Education Act.

MALDEF is a national nonprofit civil rights organization that is dedicated to preserving the rights of persons of Hispanic ancestry. With offices in Los Angeles, San Francisco, San Antonio, Denver, Chicago and here in Washington, D.C., MALDEF focuses on policies and practices that will improve the participation of Hispanics in all facets of American society.

Since its founding in 1967, MALDEF has made education one of its highest priorities. MALDEF's role has been to secure the best program possible for the education of Hispanic students. In this regard, MALDEF has consulted with numerous educational experts who have studied the educational needs of limited English proficient students. These experts agree that an educationally sound program for limited English proficient students must do more than teach the students to speak in English; the goal of an educational program is to address sufficient resources to the students so that the temporary losses of achievement due to being limited English proficient do not become permanent educational deficiencies.

The simultaneous goals of developing academic achievement and English proficiency are expressly stated in the proposed language of S. 2256. MALDEF supports these goals, but MALDEF cannot support the legislation because it does not promise to accomplish either of these goals. Sadly, the amendments to the Bilingual Education Act diminish the opportunities for limited English proficient students.

What Does Flexibility Mean to Hispanic Children?

In this country, Hispanic children have received a broad range of educational experiences. Only 12 states mandate that the education of limited English proficient students be accomplished solely through the use of a bilingual education program. Another 13 states give local districts the option of either transitional bilingual education or alternative programs. The remaining states have no statutory plan of action for the education of the limited English proficient students.

The quality of the educational programs for Hispanic children varies greatly. In a scarce number of school districts, the quality is so high that formerly non- or limited English proficient students go on to graduate and then successfullv earn scores on placement tests that allow them to receive advanced placement in college in both English and Spanish courses. In many districts, the educational opportunities for Hispanic children are plagued by inadequate resources, lack of trained staff and unresponsive administrators. For Hispanic children in underfunded schools, the concept of flexibility is not attractive or appealing.

Hispanic children deserve the best, most effective program in order to obtain equal educational opportunity. Offering these students a choice among several less effective programs is not an adequate substitute for excellence.

What Does Flexibility Mean to Educators?

MALDEF opposes removing the 75 percent set-aside and the 4 percent cap in the Bilingual Education Act because of the overwhelming evidence as to the superiority of bilingual education programs over all-English immersion programs for the education of limited English proficient students in the elementary and secondary grades. A large body of research supports the effectiveness of bilingual education, including recent reports from the Eastman Project in Los Angeles and studies funded by the United States Department of Education.

In January 1986, the Longitudinal Study of Immersion Programs for Language Minority Children by the U.S. Department of Education revealed that students in bilingual education programs using their native language rather than English for their coursework scored higher on English language performance tests than students in the immersion programs. Consider these results from the study:

> Target students in bilingual programs consistently gain more than do immersion strategy program students in reading, language arts and math, whether tested in English or Spanish.
>
> Since the immersion strategy program students receive more English instruction than the early-exit (bilingual) program students, we would expect that they would have higher reading subtest scores. This was not the case.

> Immersion strategy students are not performing better than bilingual program students as predicted when assessed in English on reading, math and language skills.

Based on the above preliminary findings at the end of the first year of study by the U.S. Department of Education, MALDEF could recommend that all Bilingual Education Act funding be directed to the transitional bilingual education programs. However, since the U.S. Department of Education has already invested $2.2 million in conducting its longitudinal study, MALDEF concludes that it makes more sense to defer any amendments to the Bilingual Education Act until the study has been completed.

What Policy Considerations Apply?

S. 2256 should be reviewed from a historical perspective. It is important to remember that Congressional sponsorship of the Bilingual Education Act first became necessary when U.S. policymakers noted that the States had failed to educate properly the limited English proficient students. Originally, the Senate reasoned that federal guidance and support was necessary to encourage local governments to adopt programs that would benefit the limited English proficient students. Now, in 1986, there is scant evidence that local education authorities have gained the unbiased attitudes necessary to select effective programs for limited English proficient students. In Texas, for example, 80 percent of school districts were found out of compliance with the State-mandated bilingual education program. This occurred despite the fact that almost

95 percent of parents of limited English proficient students, when given the choice to select a program for their children, chose bilingual education. Staff from the California Department of Education acknowledge that "it is generally recognized that the American system of public education has not been as successful in meeting the education needs of language minority students as it has with the general student population."[1] Given that half of the States have still not assumed their local obligation to enact statutes for the education of the limited English proficient students, it is premature for the federal policymakers to withdraw from their mission of providing positive direction to the State governments.

A second consideration, the legal implications of S. 2256, is noteworthy. In the seven States where federal challenges to language assistance programs have been brought, not once has a federal judge found a fully implemented bilingual education program to be legally insufficient. On the other hand, immersion programs in San Francisco were struck down the U.S. Supreme Court in Lau v. Nichols and pull-out English as a Second Language (ESL) programs were rejected by courts in several states. The courts in this country are required to protect the interests of language minority children who risk exclusion from the academic process because of language barriers. The principle of flexibility is no defense to a court challenge. Thus, MALDEF predicts that S.2256 will engender expensive and divisive litigation. This litigious outcome can be avoided by continuing to support the transitional bilingual education programs that have already been approved by numerous courts in several states.

---

[1] California Department of Education, Basic Principles for the Education of Language Minority Students (1983).

Finally, the fiscal consideration is probably the most important factor in analyzing the effect of S. 2256. MALDEF applauds the Senate's role in deciding to continue to fund the Bilingual Education Act. It should be considered, though, that with the increase in student population and the effect of economic inflation, the current freeze in resources for the Bilingual Education Act is actually a reduction in funding. The proposed amendment to remove the 4 percent cap would further dilute the revenues available to the transititional bilingual education programs.

According to recent studies, large numbers of students, estimated as high as 90 percent, do not benefit from either a bilingual education program or even an ESL program. Those districts that have implemented bilingual education programs have reported significant academic gains by limited English proficient students who have met the goals of developing English skills and other academic skills. With these accomplishments in mind, it is important for the federal policymakers to increase support for bilingual education, rather than to cut into the funding for this program in favor of unproven, experimental immersion projects. Diluting the federal resources among several experimental programs could very well mean that no one program will succeed. Since the futures of Hispanic children are at stake, this experimenting with immersion programs involves an unnecessarily high risk.

Conclusion

There is still a vital need for federal policymakers to continue to fund transitional bilingual education programs. The dilution of federal resources by eliminating the 75 percent set-aside and removing the 4 percent cap would not appreciably increase the level of local and state flexibility that already exists in the administration of language assistance programs. Nor would the amendments help the two-thirds of the children who are not served by any programs.

MALDEF recommends increased funding for the Bilingual Education Act, especially for the Family English Literacy program in Part A of the Act. The best way for federal policymakers to show their commitment to the education of young children is to dedicate funding to support the local efforts.

Senator QUAYLE. That concludes the hearing. I have got to go to another committee that started at 10 o'clock.

I just want to again say that we will probably have some questions that other Senators might want to submit to this panel, and we hope that you will be able to respond to them.

We look forward to working with all of you and others who have testified here today as we continue our support and how we can improve the administration and the efficacy of bilingual education, because it is the good of the children that we are after.

[Additional material supplied for the record follows:]

STATEMENT OF
THE NEW YORK STATE ASSOCIATION FOR BILINGUAL EDUCATION

ON S.2256,

A BILL TO AMEND THE BILINGUAL EDUCATION ACT

TO

SUBCOMMITTEE ON EDUCATION, ARTS, AND HUMANITIES

SENATE LABOR AND HUMAN RESOURCES COMMITTEE

JUNE 17, 1986

Mr. Chairman, Members of the Subcommittee, on behalf of the 800 members of the New York State Association for Bilingual Education (NYSABE), I would like to submit this statement on S.2256, a bill to amend ESEA Title VII, the Bilingual Education Act.

A fundamental tenet of bilingual education is that a person living in a society whose language and culture differ from his/her own must be equipped to participate meaningfully in the mainstream of the society. It should not be necessary for him/her to sacrifice their rich native language and culture to achieve such participation. Rather, we should utilize available language skills and thought processes to foster intellectual development while developing English language proficiency.

Historically, the intent of the Bilingual Education Act from its inception in 1968 to date has been the development of English language skills and in so doing, provide equal and effective educational opportunities to limited English proficient (LEP) students.

Education Secretary Bennett's initiative on bilingual education is to make it monolingual English education. We already have these programs in place. We do not need to amend any act in order to implement them. Flexibility is the key word in the Secretary's recent remarks. Title VII is not a mandate. School districts may apply or not apply. How more flexible do we have to be other than redesigning the act so that its original intent of providing equal educational opportunity is lost.

Secretary Bennett's so-called initiative is not pedagogical "flexibility", but rather a radical reduction of the education right of language-minority students. These rights, established by federal legislation and litigation, include the right to learn English, our common language; and the right to learn the academic subjects which are required for grade-promotion in school, graduation from school, and success in everyday life. And in keeping with the recommendations of recent reports on educational improvement, language-minority students -- like all other students -- should be encouraged and given the opportunity to become multilingual, able to communicate in English and at least one other language.

In September, 1985, Secretary Bennett made a public statement in which he branded the Bilingual Education Act a "failure":

> 'This, then, is where we stand: After seventeen years of federal involvement, and after $1.7 billion of federal funding, we have no evidence that the children whom we sought to help -- that the children who deserve our help -- have benefited.'

The Secretary has misinformed and misrepresented bilingual education to the nation and in so doing, has misrepresented the need of language-minority students in these United States.

Federal policy with regard to bilingual education relies heavily on rationalization of a political agenda and very little on research. The arguments that are presented by politicians share some common misconceptions about what it means to be bilingual, about how language is acquired, about the research on bilingualism and in so doing, have failed to look at the research in any depth. To those of us in the field of bilingual education and who are involved in research, this is very frustrating. For example, if we know a program is working in California, in New York, in Florida, and also in Texas, then as researchers, we have some basis for making the prediction that it is likely to work elsewhere. On the basis of trends that emerge in the research, we can make predictions, we can suggest and make policy. This policy-making process has not occurred in this country because of the lingering debate that has dominated this field.

New York SABE would like to present some givens:

- Children can't learn in a language they don't understand
- A strong native language foundation acts as a support in the learning of English, making it easier and faster to become fluent in English
- Learning that goes on in the native language transfers readily to English

The implication of these givens as stated are that time spent working and studying in the native language in bilingual classrooms is not time lost in developing the skills needed for school success. Becoming fluent in a second language does not necessarily mean losing the first language, nor does maintenance of the first language retard the development of the second language.

Dr. Kenji Hakuta in a presentation at our ninth annual conference held in Albany on February 14-16, 1986, made the following statements:

> "Basic research is often dismissed as irrelevant to practical problems. However, much information of importance to policy makers in the area of bilingual education has emerged from research motivate by theoretical questions about language and cognition. Some conclusions we would draw based on our knowledge of the research literature are:
>
> 1. Evaluation research, although of extremely poor quality, suggests that bilingual education is superior to submersion education in many educational contexts.
> 2. One major goal of bilingual education should be the development of the full repertoire of linguistic skills in English, in preparation for participation in mainstream classes.
> 3. Time spent learning in the native language in bilingual education is not time lost in developing English.
> 4. Children can become fluent in a second language without losing the first language, and maintenance of the first language does not retard the development of the second language.

5. There is no cognitive cost to the development of bilingualism in children; very possibly bilingualism enhances children's thinking skills.
6. Bilingual education programs should have the flexibility of adjusting to the large individual and cultural differences among children. Furthermore, educators should develop the expectation that it is not abnormal for some students to need bilingual instruction for relatively long periods of time.
7. Educators should expect that young children will take several years to learn a second language to a level like that of a native speaker. At the same time, they should not have lower expectations of older learners, who can typically learn languages quite quickly, and often end up speaking them just as well as younger learners.
8. Particularly for children who on other grounds are at risk for reading failure, reading should be taught in the native language. Reading skills acquired in the native language will transfer readily and quickly to English, and will result in higher ultimate reading achievement in English.
9. A major problem for minority group children is that young English speaking children share the negative stereotypes of their parents and the society at large. Any action that upgrades that status of the minority child and his language contributes to the child's opportunities for friendship with native English speaking children.

If we are to condone Secretary Bennett's initiative with regard to bilingual education, we will be partners to the process that will degrade these programs from "English-plus", the right to learn English plus another language, to "English-only" programs. As stated before, we already have "English-only" programs.

Congress passed the Bilingual Education Act in 1968 because of overwhelming evidence of the ineffectiveness of monolingual English instruction for non-English-language children. This evidence, based on more than a half-century of experience with English-only schooling, consisted of low academic test scores and high student drop-out rates. And the most ironic and tragic evidence of the failure of monolingual schooling consisted of the fact that countless Indian, Hispanic, Asian, and other language-minority students left school without mastering English -- the only language used and taught in the schools.

We cannot and must not return to a system that has failed these children. As a result of research in the field we have learned about language acquisition, cognitive development, and academic achievement. Due to the research in language acquisition, we know that it takes three-five years for a non-English speaking child to develop the level of English proficiency required for effective participation in an English-only classroom.

To withhold effective academic instruction until a child has achieved a level of proficiency which permits him or her to learn in English is more than a waste of time; it is the waste of a human mind, eager and capable of learning. For most children, education delayed is education denied.

Contrary to Secretary Bennett's assertions, there is substantial evidence that use of a child's native language promotes not only overall academic achievement and cognitive development but also English language acquisition. One needs only to read the research by Dr. Kenji Hakuta, Dr. Jim Cummins, Dr. Lily Wong-Filmore, "The Significant Bilingual Instructional Features Study", the four-year longitudinal study conducted for the Education Department by SNA Technologies Inc, to comprehend how effective bilingual education is for the population these programs serve.

There is another component of these programs that does not deal with language. This component is the cultural part of bilingual education. Bilingual programs instill in our youngsters a sense of cultural pride and self-esteem that becomes immeasurable by any testing instrument. Bilingual programs make our children proud of who they are and from where they come or from where their parents come while making them proud to be Americans.

Bilingual education has improved the education opportunities available to limited English proficient students. We must not return to a system of "English-only", a system that failed. We in the field of bilingual education are preparing the future multi-lingual American generation of tomorrow. A generation that will be an asset to the international technological world that America will face in the future.

Our consideration is as I am sure your consideration must be, the children. Do not eliminate the native language component of bilingual programs. Do not short-change the children for they have been short-changed for so long. It has taken bilingual education this long to come this far.

The Bilingual Education Act represents a small but tangible effort by the federal government to fulfill its responsibility to LEP students and the schools they attend. Like all education programs, bilingual education is neither perfect nor 100% successful. We are the best alternative in meeting the needs of our children. We must not - we cannot go back. Think of the children!

ROCK POINT COMMUNITY SCHOOL
ROCK POINT, ARIZONA 86545

June 25, 1986

Dear Ms. HACKETT

Mike Roy (of Hobbs, Strauss, Dean &n Wilder) asked me to send a note along with this to the effect that you had told him that we (Rock Point) would be able to get our testimony in on S. 2256 if we could get it to you by Friday.

Enclosed find said testimony. Thank you.

Wayne Holm
Wayne HOLM
Ass't. Director, Academic

TESTIMONY of the ROCK POINT COMMUNITY SCHOOL BOARD

We are the Board of a Navajo community-controlled school.

Rock Point is a widely-dispersed Reservation-interior Navajo community. We are a poor community. We are spread-out: c. 1600 people over several hundred square miles. We have not been well educated. Navajo is the language of the community; few of us over 40 talk much English. It's 100 miles or more to English-speaking 'towns' like Cortez or Farmington or Gallup. Although the situation is changing, English is not acquired quickly or easily by our children.

We took over what had been a Bureau-operated school almost 14 years ago now. We have made developmental bilingual education the basic program of this school, in all grades Kg-12.

Our children have done relatively well. On standardized tests, our children have consistently outperformed comparable students in nearby schools receiving English-only instruction.

In 1983, we gave the same tests as the Arizona public schools did. We found that somewhere between the 5th and 10th graders, our children caught up surpassed the non-comparable students in the adjacent public schools. ("Non-comparable" because public schools include more Anglos and more English-speaking Navajos, and are closer to English-speaking communities.) Our juniors and seniors outperformed those in all Arizona on-Reservation schools.

In short, we know through personal experience, that bilingual education can and does work.

This is not to say that the millenium has arrived. Except for a few grades on a few tests, our students are not averaging at or above national averages. Our students are not averaging as high as some more Reservation-peripheral schools where more English is spoken and/or the test is the basis of the curriculum.

our concerns

We are concerned about the implications of S. 2256 (and HR 4538). We are concerned what they would do to our students and to other Navajo students.

The effects of these ammendments (to the Bilingual Education Act) cannot be separated from the effects of the regulations proposed to implement that Act.

To come directly to the point: it appears to us that these ammendments and the proposed regulations are, intended to favor mono-lingual English-only education with Bilingual Education Act monies. Should these ammendments be passed, and the regulations promulgated as proposed, it would be quite possible for an ideologically-minded Department to discontinue funding all two-language bilingual programs. It's very hard to believe that the majority of those who voted for the Act in 1984 intended such a possibility.

In our testimony, then, we will discuss both S. 2256 and the proposed regulations.

lack of regulations

We are concerned that regulations to implement the Bilingual Education Act of 1984 were not in place for the 1985-86 schoolyear.

We are concerned that the regulations were still not in place for the 1986-87 schoolyear.

Existing projects will run out June 30th. It may be months before projects, if refunded, actually receive funds. In the meantime, some of the most talented and dedicated bilingual educators will have had to seek 'safer' employment in monolingual education, or move out of education altogether. Such disregard for the loss of valuable educational personnel verges on the criminal.

content of regulations

We are concerned with the intent and the content of the regulations proposed last November. In almost 14 years as a community-controlled contract school, we have never seen regulations so apparently intent on subverting the law they are supposed to implement.

We have documented these concerns elsewhere: our comments on these regulations ran to 72 pages.

To try to be brief here, we have three major areas of concern about these regulations.

i) the proposed regulations would limit the number of Indian student participants

The law makes specific provision for Indian students and Indian schools. In their zeal to restrict bi-lingual instruction to as few students as possible, the regulations contravene these provisions in at least six places. Large numbers of Indian students who could have been in Title VII programs would be excluded.

ii) the proposed regulations would limit the number of Indian schools

One of the main reasons the federal government entered the field of bilingual education in 1967 was because of the fact that many non- or limited-English speakers are poor. Often the schools serving these students are also poor.

In their zeal to "build capacity", the regulations redefine "capacity" as "commitment". Schools with resources are 'committed'; schools without are not. As many all-Indian schools have very limited resources, they will be considered un-"committed" and so will not be funded.

iii) the proposed regulations favor the selection of English-only SAIPrograms

In a variety of cute and clever ways, the selection process has been weighted to ensure that so-called SAIPrograms will receive more points. DBE programs would receive the least.

If (as a result of S 2256) there were no restrictions on the types of programs will be funded, all or mostly SAIPrograms would be funded. The proponents in the Department would say 'it's all fair and objective. They had the most highly-rated proposals. They must have been better planned and organized.' We would say this will be due (if allowed to happen) due to the 'rigged' rating process itself.

With the introduction of S 2256 and HR 4538, this has become a very real possibility. We will be studying the final form of the regulations with considerable apprehension.

mis-representation of bilingual education

i) bilingual education

We are concerned about the extent of wordgames and mis-representation involved in the advocacy of this bill. It is even more distrubing to find that some of this is echoed by people within the Department charged with the non-partisan and non-ideological implementation of the Bilingual Education Act.

It is an unfortunate consequence of the 1984 compromise that it allows these people to consider SAIPrograms as one kind of "bilingual education" program for legal/funding purposes even as they misrepresent bi-lingual education in the press.

Bi-lingual education is what the word says: two-language education. One of those languages is English. In their polemics, these people have frequently misrepresented the choice as being between two monolingual programs: Either Navajo (-only) or English-(only)!

There are to our knowledge no Navajo-only "bilingual" programs. We all want our children to learn English. But we also want them to succeed at school. Pushing our children into the 'English shower' and locking the door will not cause them to learn English or to succeed at school; it will cause most of them to drop out or 'drown'. This has been happening for decades.

PL 98-511 states at least *two* major purposes to bilingual education: to enable students to learn English *and* to succeed at school.

S 2256 has the virtue of moving this second purpose up from the DEFINITIONS section into the POLICY section.

Despite their apparent advocacy of *both* purposes, many of these people talk as if their were one and only one purpose: to learn English and nothing more than English

Education on the Navajo Reservation indicates some of the fallacies of this kind of thinking.

The nearer Navajo children are to the *edges* of the Reservation, the more likely they are to talk English. This has little to do with the kind or quality of instruction in school. English is as much 'acquired' *outside* the classroom as it is 'learned' *in* the classroom. For Reservation-interior students to be taught *only* English does *not* necessarily cause them to acquire English rapidly. It can keep them 'dumb' in reading, math, etc., and on 'how to succeed at school'. The reason *our* children do as well as they do is that they are 'learning how to learn at school' (by reading, writing, computing in *Navajo*) *while* learning *English*. They end up learning more and better English then comparable students taught only in English.

ii) *immersion*

SAIPrograms are often said to be "*immersion*" programs.

"Immersion" programs were devised in Canada. Mostly middle-class Anglos go to school mostly in French. They do well in French and English.

Canadian scholars, noting serious socio-economic and power differences, have cautioned against rushing into "immersion" programs for poor students in the States.

As Canadian-style immersion programs make some use of the student's home language (English), most such program would probably be labelled as a TBE rather than as SAIPrograms by Title VII.

While there are some serious proponents of "immersion" programs, most people seem to be using the word to give English-only programs pseudo-academic respectability.

In theory, a distinction is made between "immersion" and "submersion" programs. "Immerison" programs are characterized by their careful attention to the level of difficulty of the second language used: it should be just a bit above what the students control so that they are learning language and content. In practice, it seems almost impossible to write rules so that "immersion" programs but not "submersion" programs would be funded. Allowing unlimited amounts of money for one-language programs could become the means of funding 50's-style "submersion" programs with already-limited 80's Bilingual Education Act Funds.

iii) "flexibility"

The stated purpose of S 2256 and HR 4538 is to give school districts greater "flexibility" in designing 'bilingual' (read 'English') programs.

We are led by proponents to see the big bad government in W'ton imposing a single kind of 'bilingual' (read 'English') program on all school districts. LEA's, we are told, are closer to the students; they should design the programs.

There are a number of fallacies in such presentations. a) Before 1967, probably no LEA designed or chose to do bilingual instruction. What these people seem to be demanding is the right to do pre-1967 monolingual programs with 1987 Bilingual monies. b) They talk as if they are forced to accept Title VII money. They confuse, or chose to confuse, the so-called "Lau Remedies" with Title VII. No one is forced to ask for, or to take, Title VII money. c) If an LEA asks for, and receives, Title VII funds, they should expect to spend the money for the purposes for which it was appropriated. They should not expect to define these themselves. One does not spend special education money for the football team by defining them, locallys as 'special'.

need

The problem is not flexibility, it is need. More money is needed than is available.

The Bilingual Education Act was set up for students who would benefit from two-language instruction. There are more students who could benefit from such instruction than there are funds with which to do so.

The policy of the current Act seems fairly straight-forward: the national policy is to encourage (two-language) bilingual education; (one-language) SAIPrograms are encouraged "where the establishment of bilingual education is not practicable". There are a large numbers of children in schools who speak limited or no English. In some schools, the relatively small number of speakers of a relatively large number of languages makes the establishment of two-language bilingual education programs difficult. In other schools, the school simply doesn't want to be bothered. And in still others, students and/or parents, have been convinced that bilingual instruction is inferior instruction.

It is understandable that all these schools would like to have the federal government to pay for some or all of this English-only instruction. The question before Congress is: is it proper or appropriate to do so? Is it proper or appropriate to take even more money needed for two-language bilingual education and give it to schools for one-language bilingual education? We think not.

a 'test'

The ultimate question is: is S 2256 (and HR 4538) intended as a means of eliminating two-language bilingual education? Or is it only an attempt to get more funds for one-language programs?

If the latter, then there is another way. One which does not 'take from the destitute to give to the poor'.

The so-called McCain compromise has three provisions:

:SAIPrograms get 4% of all money up to $140M;

:SAIPrograms would get half of all new dollars above $140M;

:SAIPrograms would get no more than 10% of all funds.

At $140M, SAIPrograms will get 4% or $5.6M.

If the appropriation were raised to $160M, SAIPrograms would get half of the new money or $10M more.

This would give SAIPrograms a total of $15.6M. This would be close to three times what they got in 1985-86. If a third of the proposals were funded in 1985-86, $15.6M would have come close to funding all proposals.

Fellowship excepted, NO other program type had more than 40% of its proposals funded.

This, then, might be a 'test'. Progmatists wishing to fund more SAIPrograms without depriving other students of two-langugage bilingual instruction could do so by increasing the appropriation. Idealogues intent on depriving - students of two-language bilingual isntruction can do so by supporting S.2256 (or HR 4538).

We urge the Senator's to be progmatic and increase the appropriaton for Bilingual Education.

This testimony reviewed and approved on this 20th day of June, 1986 by a vote of 5 for, 0 against and 0 abstained.

Kim L. Nih, Chairman

James M. Begay
James M. Begay, Member

Paul J. Jones, Vice Chairman

Alice P. Wilson
Alice P. Wilson, Member

Frank W. Begay
Frank W. Begay, Sec-Treasurer

James W. Begay
James W. Begay, Member

ASPIRA A NATIONAL ASSOCIATION
ASPIRA of AMERICA, INC. • 1112 16th Street, NW, Suite 2900, Washington, D.C. 20036 • (202) 835-3600

Mr. Aureo F. Andino
Chairperson
Dr. Juan Rosario
National Executive Director

TESTIMONY PRESENTED TO
SUBCOMMITTEE ON EDUCATION, ARTS, AND HUMANITIES
SENATE LABOR AND HUMAN RESOURCES COMMITTEE

ON S. 2256
A BILL TO AMEND THE BILINGUAL EDUCATION ACT

Presented by
Janice Petrovich
Director, ASPIRA Institute for Policy Research
on behalf of
ASPIRA of America
and the
ASPIRA National Association

June 19, 1986

Associates: Chicago, Il., Newark, N.J., New York, N.Y., Philadelphia, Pa., San Juan, P.R. Affiliate: Miami, Fl.

Mr. Chairman, members of the Subcommittee, ASPIRA of America and the ASPIRA National Association appreciate the opportunity to submit this statement on S. 2256, a bill to amend ESEA Title VII, the Bilingual Education Act.

ASPIRA is a community-based organization which has advocated for twenty-five years on behalf of measures that effectively address the educational needs of Latino youth. We support bilingual education as an effective educational approach based on a growing body of evidence attesting to the academic achievement of bilingual program participants, as well as common sense.

Numerous studies have been cited in testimonies presented in forums such as these for a number of years that point to greater academic gains of students in bilingual programs. Recent data from New York and Massachusetts indicate that students in bilingual programs had better attendance rates, fewer discipline problems, greater levels of parental participation and lower drop-out rates than their counterparts in regular classes. Some studies have also reported superior achievement test scores for students in bilingual programs - including a recent study commissioned by the Education Department that compared transitional bilingual education programs with structured immersion programs and found that the students in the bilingual programs achieved higher scores in English language development and mathematics. This should not be surprising. After all, it is common sense that students who understand what goes on in the classroom will be more involved in learning and less alienated than those who don't.

We must ask: Why the interest in amending legislation that sponsors programs that are proving effective?

One argument that has been presented is the need for greater local flexibility. If we examine this issue, we must conclude that an enormous amount of flexibility already exists. Schools have flexibility in deciding:

- which subject matter to teach in which language;
- the amount of time spent teaching each language;
- the structure of the groups (small group or entire class);
- the method used to teach English as a Second Language (Total Physical Response; The Silent Way; The Counseling Methods, etc.);
- the scheduling of the instruction in each language (one language in the morning and another in the afternoon, alternating days, etc.);
- the method used to teach reading (basal reading, phonetics, etc.);
- the learning materials used.

In fact, the only requirement is that there be some instruction in the native language.

We must ask: Why the interest in amending legislation that sponsors programs that are already flexible?

Finally, we want to stress that many more students than those already being served need bilingual education programs. In

New York City for example, a recent report, "Ten Years of Neglect: The Failure to Serve Language Minority Students in the New York City Schools," documents that almost 40 percent of all students entitled to bilingual/English-as-a-second language instruction, are not receiving any services.

If language-minority students are to reap the full benefits of their schooling, avoid alienation and enter the marketplace with the necessary skills for employment, the effort to provide the most effective educational approach - bilingual education - must be sustained.

TESTIMONY OF THE NAVAJO NATION

before the

Subcommittee on Education, Arts and Humanities
of the
Senate Labor and Human Resources Committee

The purpose of this testimony is to discuss a critical matter of policy which the U.S. Department of Education seeks to address through the amendments to the Bilingual Education Act which are before this committee for consideration — that is the place of bilingual education in the educational programs provided to children of limited English proficiency. The Department of Education is seeking through appropriation, regulation and statute to dismantle federal support for bilingual education. This conclusion may seem harsh, but it is the only conclusion we can reach based upon all the actions of the Secretary of Education in recent months in regard to bilingual education.

In public addresses and published articles, the Secretary of Education has made clear his hostility to bilingual education. The elimination or dilution of this program appears to be a "cause" with him. He is evidently convinced that only through "immersion" in the English language can students of limited English proficiency do well in school. He also apparently believes that he has the right to subvert the intent of Title VII, the Bilingual Education Act, in the name of English "immersion." We believe that he is wrong about the value of bilingual education. We also believe that his attempts to restructure the Bilingual Education Act away from bilingual education are seriously misguided and should be rejected by Congress. Finally, we most strongly object to the utilization of the appropriations process to attempt to effect such a drastic change in education law and policy.

The experience of the Navajo Nation is that bilingual education is a particularly appropriate way to educate our Navajo children of limited English proficiency, or as they might be categorized, of enhanced English proficiency. The Navajo Nation is a bilingual Indian nation within the larger borders of the United States. We are not immigrants. We are not attempting to immerse ourselves into a country to which we have freely chosen to move. Instead we are the descendants of the pre-conquest inhabitants of this land.

We are attempting a much more difficult transition than that of the immigrant. We are attempting to gain the skills necessary to interact freely with the dominant society while preserving the essence of what we are as Navajos. We want our children to have choices, to be able to move into the dominant society and compete successfully — but also to be able to live successfully and thrive economically, socially and culturally within the Navajo Nation. To do this, our children must become competent in English and remain competent in Navajo. They must not be required to sacrifice one language to the other or one solely for the other. For us, bilingual education is the only approach to educating our children which is consistent with our survival as a distinct people.

The Department of Education would have you believe that the amendments they are seeking, eliminating the 4% ceiling on alternative "English only" programs, are intended to allow more "local control" of bilingual education approaches by local schools and school districts, and that concerns such as we are voicing in this testimony can be addressed at the local level by supporting local programs which are bilingual. We believe that in actual practice, the changes proposed by the Department will make it much more difficult for a local school to obtain funding under Title VII for a truly bilingual educational program.

The Department of Education is proposing regulations and, if Congress allows this change, Title VII will develop guidelines which will govern the competition for Title VII funds. Title VII funds are limited. They are not available to every local school with children of limited English proficiency. It is clear that these guidelines will favor the English immersion approach. As a consequence, those schools utilizing English immersion programs will have a competitive advantage over those schools seeking truly bilingual programs for their students. We are convinced that some of our most promising Navajo bilingual programs will be disadvantaged in this competition for Title VII funds.

As stated above, we believe that Secretary Bennett's faith in English immersion programs is misplaced. The term "immersion" comes from the Canadian experience of the last 20 years. The Canadians have conducted very successful programs of highly-French or French-only education for the children of English speaking parents who see it to their child's advantage to be bilingual in French and English. Most of the Canadian writers writing about these programs (LAMBERT, TUCKER, CUMMINS, SWAIN, and others) have from the outset told Americans that, because of the very different power and socio-economic relations in the two countries, we should be very cautious in analogizing from the Canadian experience.

It should be noted, also, that the particular purpose of the French "immersion" in Canada is to produce a bilingual person who, by the end of his or her education, will be fluent in both languages. That is not the purpose of English "immersion" as supported by Secretary Bennett. Indeed, his approach supports transforming children of other language backgrounds into monolingual English speakers.

English "immersion" in the hands of the insensitive, can rapidly become English "submersion." The "immersion" approach assumes a program which is just "one step" more difficult than the child's ability in the new language. As the child masters more English, he is more deeply "immersed" in the language. In practice, however, it seems almost impossible to write a set of regulations that would somehow insure that a school would use language which is "only one step" more difficult. We fear that the "immersion/submersion" distinction would be made after the fact -- for those children who didn't drown, it would be rated an "immersion" program.

The most serious criticism which Secretary Bennett makes of bilingual education is that it does not work. We believe that his evidence for this contention is flawed. The Secretary relies upon the research which he commissioned (BAKER AND DEKANTER), which predictably, found no conclusive proof of the superiority of bilingual education in the existing literature. This research is flawed. In all instances in which bilingual education was found to be effective, the research concluded that "other factors" could have been involved or questioned the credibility of the authors. The research then identified "immersion" as *the* answer based upon evidence of heresay stories about a program in Texas. In a final irony, the Texas program turns out to be a *bilingual* program in a single kindergarten in which instruction is conducted in English in the morning and Spanish in the afternoon. (See WILLIG)

In addition, our own experience convinces us that well designed bilingual education programs offer the best hope for effective education for our children. Such programs can not only equip them with the requisite English language skills, but also instill in them a sense of "empowerment" in which they see the strengths of their parents and their community confirmed in their education. We have such programs in some of our local Navajo schools, such as Rock Point Community School, and can vouch for their effectiveness and value.

What Secretary Bennett is proposing to do is to use bilingual education money to fund monolingual education. We suggest that there are other resources which can be called upon to support monolingual instruction. The resources available to support bilingual education programs are very limited. They should not be subject to dilution. There was almost no real bilingual education in this country before the Bilingual Education Act was enacted. We believe that if the changes proposed by Secretary Bennett are approved by Congress, we will regress in all but the most committed schools.

It is only a short while since Congress comprehensively reviewed the Bilingual Education Act and proposed comprehensive amendments to it as part of the reauthorization of Title VII. Those amendments recognized the importance of native language instruction to persons of limited English proficiency. They also recognized the unique situation of Indian tribes by allowing tribes to apply directly for Title VII funds. We would urge this committee to allow the Bilingual Education Act as amended in 1984 some time to operate before considering amendments which would seriously change the whole thrust and direction of that law. We are convinced that a strong case can be made for bilingual education programs not only as means of bridging the gap between the home language and English, but also as means of strengthening students' overall level of accomplishment and sense of personal competence. What is required is not a change in Title VII. What is needed, rather, is a commitment to the letter and spirit of that law on the part of the Department of Education.

BOARD OF EDUCATION
OF THE CITY OF NEW YORK
110 LIVINGSTON STREET
BROOKLYN, N.Y. 11201

NATHAN QUINONES
CHANCELLOR

June 4, 1986

Senator Robert Stafford, Chairman
Subcommittee on Education,
Arts and Humanities
Committee on Labor & Human Resources
Hart Senate Office Building - Rm. 625
Washington, D.C. 20510

Dear Senator Stafford:

Since I was unable to testify at the recent hearing held on June 4, 1986 concerning the United States Education Department's proposed amendments to the Bilingual Education Act, I wish to submit the attached paper as my official position.

I thank you in advance for your cooperation in this matter.

Very truly yours,

Nathan Quinones

Nathan Quinones
Chancellor

NQ:ss

Att.

The current Administration's proposed Amendments to the **Bilingual Education Act** to make Federal financial assistance available for children of limited English proficiency without mandating a specific method of instruction contradicts the underlying thesis in support of the present distribution of ESEA Title VII funds.

To date, one specific method of instruction, transitional bilingual education, has successfully serviced children of limited English proficiency in 75% of the projects funded under ESEA Title VII funds. This method of instruction was in keeping with the intent of the **Bilingual Education Act**, namely, to provide instruction in English as well as in the student's native language so as to ensure the acquisition of English language skills. To propose a change in the present distribution of ESEA Title VII funds would jeopardize transitional bilingual programs. This method of instruction takes place in both English and the student's native language, with the acquisition of English language skills occurring more rapidly. As Dr. Kenji Hakuta, a Yale University psychologist, succinctly states" **"Once the basic principles of reading are mastered in the home language, reading skills transfer quickly and easily to a second language."**

The current Administration has also proposed to delete the requirements and restrictions that govern special alternative instructional programs. Current law reserves 4% of the amount appropriated under $140 million for special alternative instructional programs. The Administration's proposed amendments heavily favor an increase in the amount of funds allowable under law for this type of instructional program, since a lifting of restrictions could lead to a higher percentage of funds allotted to special alternative instructional programs.

The Special alternative instructional programs have historically served the needs of those students of varied linguistic backgrounds who were unable to participate in a transitional bilingual program due to linguistic diversity. In New York City we have large concentrations of Chinese, Haitian, Hispanic and other students for whom we must provide bilingual programs.

Lastly, the Administration proposes these amendments to the **Bilingual Education Act** to provide greater flexibility to the local school districts in choosing instructional methods for bilingual education. In New York City, we need only examine the broad range of bilingual instructional programs funded under ESEA Title VII to realize that we enjoy a great amount of flexibility in the type of bilingual instructional program that may be chosen to meet the specific needs of the limited English proficient students.

In closing, I would like to share with you the words of an internationally renowned bilingual scholar, Dr. Joshua Fishman from Yeshiva University, who is deeply concerned for the spread of English in this country: **"The Bilingual Education Act must be an Act that is for bilingualism, that is, for fostering both English and other languages of unique personal, familial, ethnic and regional significance to particular clusters of students." "The Bilingual Education Act must cease being schizoid about bilingualism, fostering it with one hand and plowing it under with the other, and must clearly have funds set aside for fostering the other language of this country in addition to English and among interested populations that know English well."**

OFFICERS
Hon. Larry Pratt
PRESIDENT
Ed Nelson
VICE PRESIDENT
Rev. Keith Roland
SECRETARY TREASURER

ENGLISH FIRST

Testimony of

Lawrence D. Pratt, President

of English First

for

Education, Arts & Humanities Subcommittee

Senate Labor and Human Resources Committee

June 5, 1986

On behalf of English First, I wish to congratulate this committee for considering S.2256, the Bilingual Education Act Amendments of 1986.

Eliminating the four percent cap on federal funding for alternative bilingual education programs is an important step forward. I believe that the new lattitude given to local school systems in designing methods of teaching English to non-English speaking children will enable many of them to chose more effective programs than are currently being used.

Teachers involved in bilingual eduation with whom I have spoken are unsatisfied with the present "transitional" method which many feel is locking the students into an education in their own language, but not that of the United States -- English. This in turn results in a substantial economic disadvantage for children in bilingual education.

For the sake of the children, as well as for the economic prosperity of the country which will benefit most from these children's work when they are fluent in English, we urge the Committee to report out favorably S. 2256.

Those who oppose this legislation, such as Norma Cantu, education director for the Mexican American Legal Defense and Education Fund, are advocating a failed policy that will consign minority language children to economic servitude. This raises the question, in view of the economic downside of the present bilingual education policies, if opponents of change really want effective bilingual education. The danger the government faces of NOT changing present policy is that a permanent second class economic status for minority language speakers could lead to the kind of embitterment that nearly destroyed the province of Quebec, Canada.

Senator QUAYLE. Thank you very much.

The committee is adjourned.

[Whereupon, at 11:13 a.m., the subcommittee was adjourned.]

○